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CrI.O.P.No.8661 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.8661 of 2023 and
CrI.M.P.No.5554 of 2023

Manonmani

... Petitioner

Vs.

1.The State rep by
Inspector of Police,
Thirumanoor Police Station,
Ariyalur District.

2.Chokkalingam

3.Valarmathi

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to withdraw the case in C.C.No.07 of 2018 on the file of learned Chief Judicial Magistrate, Ariyalur and transfer the same to the file of the learned Judicial Magistrate, Chengalpattu, or to any other Court other than Ariyalur District to try same, within time frame fixed by this Court.

For Petitioner : Mr.P.Arumagavel

For Respondents : Mr.S.Santhosh
Government Advocate (CrI side)



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ORDER

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This Criminal Original Petition has been filed to withdraw the case in C.C.No.07 of 2018 on the file of learned Chief Judicial Magistrate, Ariyalur and transfer the same to the file of the learned Judicial Magistrate, Chengalpattu, or to any other Court other than Ariyalur District to try same, within time frame fixed by this Court.

2.The learned counsel for the petitioner submitted that petitioner's husband is defacto-complainant in C.C.No.7 of 2018, pending on the file of learned Chief Judicial Magistrate, Ariyalur. The accused in this case are politically influential persons. They may disturb the smooth conduct of trial and also delay the process of trial. Therefore, this petition is filed to transfer the same to the file of the learned Judicial Magistrate, Chengalpattu, or to any other Court other than Ariyalur District.

3.In response, the learned Government Advocate (Criminal side) submitted that out of three witnesses, witness No.1 was examined. The case is pending for examination of witnesses 2 and 3.



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4.Considered the rival submissions and perused the records.

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5.Petitioner has not produced any material in support of her submission that the accused made threat to her life and that they would cause disturbance to the smooth conduct of trial. It appears that no complaint against the accused is given so far with regard to the allegations made against them. Therefore, this Court finds that there is no merits in the prayer seeking for transfer of case in C.C.No.07 of 2018 from the file of learned Chief Judicial Magistrate, Ariyalur, to the file of the learned Judicial Magistrate, Chengalpattu, or to any other Court other than Ariyalur District.

6.In this view of the matter, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed. If the petitioner really faced threat from the accused, then it is open to her to give a complaint before the concerned Police for necessary action.

21.04.2023

ep
Index:Yes/No
Speaking/Non speaking order



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To

1. Inspector of Police,
Thirumanoor Police Station,
Ariyalur District.
2. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN.J.,

ep

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