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Crl.O.P.No.25215 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.11.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25215 of 2023

N.R.N.Neethimohan

... Petitioner

-VS-

State rep by its
The Inspector of Police,
Tiruvarur Town police Station,
Tiruvarur District.

...Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, praying to transfer the case in C.C.No.249 of 2018 pending on the file of the learned Judicial Magistrate at Tiruvarur, Tiruvarur District to learned Judicial Magistrate No.I at Nagapattinam, Nagapattinam District.

For Petitioner : No Appearance

For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl.Side)

ORDER

No representation for the petitioner. This petition is filed to transfer the trial in C.C. No.249 of 2018, pending on the file of the learned Judicial Magistrate, Thiruvarur to learned Judicial Magistrate No.I, Nagapattinam. The



reasons stated in the petition is that the petitioner/P.W.2 in the above case has afraid of A1/Venkatachalam who is threatening him. Therefore, he being under life threat at the hands of A1/Venkatachalam, he feared to appear before the learned Judicial Magistrate No.I, Thiruvavarur.

2. The learned Government Advocate (Crl.Side) submitted that this petitioner was already examined as P.W.2 on 12.12.2022 and he was partly turned hostile. This petition is filed with some public motive to delay the trial which is under process and therefore, deserves to be dismissed.

3. The averments found in the affidavit filed along with present petition and the facts now brought to the notice of this Court by the learned Government Advocate (Crl.Side) clearly shows that this petition is filed with ulterior motive and deserves to be dismissed. He has also enclosed the status, after the petitioner turned hostile, belatedly, he has filed this transfer petition and the reasons stated in the transfer petition are not believable. Hence, this Criminal Original Petition is dismissed.

15.11.2023

Internet : Yes/No
Index : Yes/No
rkp



To

1. The Judicial Magistrate,
Tiruvarur District
2. The Judicial Magistrate No.I,
Nagapattinam District.
3. The Inspector of Police,
Tiruvarur Town police Station,
Tiruvarur District.
4. The Public Prosecutor,
Madras High Court, Madras.



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Dr.G.JAYACHANDRAN, J.

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