



Crl.O.P.(MD)No.6458 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **19.04.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.6458 of 2023

Jeyaprabu

... Petitioner/Accused No.1

Vs.

1.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

Crime No.147 of 2020. ... 1st Respondent/Complainant

2.Selvendiran ... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to withdraw the case in S.C.No.120 of 2021 on the file of the Additional District Court (Fast Track Court), Theni and transfer the same to the file of any other competent court of law in nearer District for disposal of according to law.

For Petitioner : Mr.U.Iyyapparaj

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to to withdraw the case in S.C.No.120 of 2021 on the file of the Additional District Court (Fast Track Court), Theni and transfer the same to the file



of any other competent court of law in nearer District for disposal of according to law.

2.The respondent is present before this Court in person and stated that the prosecution side evidence is evidence is over yesterday before the trial Court. Now the accused filed 311 Cr.P.C. application to recall some. Out of the above said six witnesses four witnesses are going to be examined tomorrow. He has further submitted that in respect of the life threat, heavy bandobast has been provided to both sides namely the complainant party as well as the accused party under the head of Deputy Superintendent of Police till they reaches their houses. As on date there is no complaint of any life threat to any of the parties, even the complaint given by the mother of the petitioner herein was closed as Mistake of Fact.

3.Since the trial process is going to be over in short time, the matter cannot be transferred to other Court. I find no merit in this petition and this petition deserves to be dismissed.

4.Accordingly, this criminal original petition is dismissed.

However, even though the counsel for the petitioner seeks time to argue



Crl.O.P.(MD)No.6458 of 2023

the matter, the respondent hereby is directed to ensure that no untoward incident is taken place during the trial process.

19.04.2023

Index : Yes/No

Internet : Yes/No

TM

To

1.The Additional District Judge, (Fast Track Court), Theni.

2.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.6458 of 2023

G.ILANGOVAN. J.

TM

Crl.O.P.(MD)No.6458 of 2023

19.04.2023