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Crl.O.P.(MD)No.15551 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.08.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.15551 of 2023
and Crl.M.P(MD).No.12350 of 2023

Velladurai

... Petitioner

Vs.

1.The State rep.by
The Inspector of Police,
Chinnakovilankulam Police Station,
Tirunelveli District.

2.Murugaiah

3.Selvaraj

4.Chinnadurai

..Respondents

PRAYER : Criminal Original Petition is filed under Section 407(1)(c) of Cr.P.C., to call for the records in Spl.C.C.No.01 of 2023 on the file of the learned Principal District Judge, Srivilliputhur, Virudhunagar District and withdraw the same and consequently, transfer the same to the learned Principal District Judge, Tirunelveli District.



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For Petitioner : Mr.V.Kathirvelu
Senior Counsel
for Mr.K.Prabhu

For R1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed seeking for transfer of Spl.C.C.No.01 of 2023 pending on the file of the learned Principal District Judge, Srivilliputhur, Virudhunagar District, to the learned Principal District Judge, Tirunelveli District.

2. It is submitted by the learned counsel appearing for the petitioner/accused No.1 that originally, this case was filed before the learned Principal District Judge, Tirunelveli District, as Spl.C.C.No.9 of 2022, for the offence under Sections 294(b), 353, 506(ii) and 379 IPC. The petitioner has filed a petition in Crl.O.P(MD).No.8112 of 2023 before this Court seeking to transfer Spl.C.C.No.9 of 2022 from the file of the learned Principal District Judge, Tirunelveli District to any other Court by making certain allegations against the then Presiding Officer. This Court has considered



the same and allowed the application and transferred Spl.C.C.No.9 of 2022 from the file of the learned Principal District Judge, Tirunelveli District, to the learned Principal District Judge, Srivilliputhur, Virudhunagar District.

3. Now, the learned counsel appearing for the petitioner submits that the Presiding Officer against whom the petitioner/A2 was having grievance, basing on which, he got transferred the criminal case to the learned Principal District Judge, Srivilliputhur, Virudhunagar District, was stated to be removed from service recently. It is submitted that the petitioner and the witnesses are residing within the jurisdiction of Tirunelveli Court. Therefore, keeping in view of the convenience of the witnesses and the Police personnel, the petitioner sought for transferring the case back to the learned Principal District Judge, Tirunelveli District.

4. The learned Additional Public Prosecutor appearing for the official respondent submits that he has no objection.

5. In view of the above, the request of the petitioner is hereby accepted and the case in Spl.C.C.No.01 of 2023 pending on the file of the learned Principal District Judge, Srivilliputhur, Virudhunagar District is



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transferred to the learned Principal District Judge, Tirunelveli District.

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6. Accordingly, this Criminal Original Petition is allowed.

Consequently, connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
ssb

31.08.2023

To

1.The Inspector of Police,
Chinnakovilankulam Police Station,
Tirunelveli District.

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



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CrI.O.P.(MD)No.15551 of 2023

DR.D.NAGARJUN. J.

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