



WEB COPY



Crl.O.P.(MD).No.19196 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.19196 of 2023
and Crl.M.P.(MD).No.15157 of 2023

Raj @ Prem Raj

... Petitioner

Vs.

1.The Inspector of Police,
Kazhiyakavizhai Police Station,
Kanyakumari District.

2.C.M.Shaji

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to transfer the case in CC No.236/2017 on the file of the Judicial Magistrate Court No.1, Kuzhitharai to any other magistrate court with in Tirunelveli district.

For Petitioner : Mr.P.Suresh

For R1 : Mr.R.M.Anbunithi
Addl.Public Prosecutor (Crl.side)



WEB COPY



Crl.O.P.(MD).No.19196 of 2023

ORDER

This Criminal Original Petition is filed to transfer the case in CC No.236/2017 on the file of the Judicial Magistrate Court No.1, Kuzhitharai to any other magistrate court with in Tirunelveli District.

2.Heard both sides.

3. A report was called for from the trial Court as to whether any advocate is appearing for the petitioner in the trial case. A report is received from the learned Judicial Magistrate No.1, Kuzhithurai, stating that no advocate was appearing on behalf of the petitioner to defend his case. A legal aid counsel was appointed and later he submitted that the defacto complainant is the relative of the legal aid counsel and hence he has not proceeded the case. The case is pending for more than six years without any progress.

4. In view of the above submissions, the case in CC No.236/2017 on the file of the Judicial Magistrate Court No.1, Kuzhitharai, is



Crl.O.P.(MD).No.19196 of 2023

transferred to the file of the learned Judicial Magistrate, Valliyoor. Let the documents be sent to the learned Judicial Magistrate, Valliyoor, who make take the case on file, number it and proceed with the case in accordance with law.

5. With the above said directions, this criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

21.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
pnn

To

- 1.The Judicial Magistrate Court No.1, Kuzhitharai.
- 2.The Judicial Magistrate, Valliyoor.
3. The Inspector of Police,Kazhiyakavizhai Police Station,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

3/4



WEB COPY



Crl.O.P.(MD).No.19196 of 2023

G.ILANGOVAN,J.

pnn

Crl.O.P.(MD).No.19196 of 2023

21.11.2023