



CrI.O.P.(MD)No.21062 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **22.12.2023**

CORAM:

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

CrI.O.P.(MD)No.21062 of 2023
and
CrI.M.P.(MD)No.16505 of 2023

Chandrapushpam

...Petitioner

Vs.

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

2.Gnanam @ Gnana Selvam
3.Mahesh
4.Devi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the case in C.C.No.430 of 2020 on the file of the Judicial Magistrate, Radhapuram to nearby any other Court.

For petitioner	: Mr.R.Balakrishnan
For R1	: Mr.M.Vaikkam Karunanithi Government Advocate (CrI.Side)
For R2 to R4	: Mr.R.Ponkarthikeyan

ORDER

This petition has been filed seeking to transfer the case in C.C.No. 430 of 2020 on the file of the Judicial Magistrate Court, Radhapuram to any other Court.



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2.The contention of the petitioner is that the petitioner made a complaint against the third and fourth respondents. On completion of the investigation, charge sheet was filed. The accused are facing charges under Sections 294(b), 323, 506(ii) IPC and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act altered @ 294(b), 342, 323, 325, 506(ii) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act. During the course of trial process, the petitioner noticed some errors in the deposition. Despite the said mistakes are brought to the knowledge of the Presiding Officer, those corrections were not carried out. Later, the petitioner came to know that the third respondent is a practicing Advocate and the Presiding Officer is supporting the third respondent. Hence, the petitioner seeks for transfer of this petition.

3.The learned Government Advocate (Crl.Side) appearing for the first respondent submits that the trial has been completed and the case is posted for examination of the accused under Section 313 Cr.P.C.. At the fag end of the trial process, the petitioner has filed this petition seeking transfer of this case.

4.Heard the learned counsel appearing on either side.



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5. Admittedly, the trial has been completed. For the purpose of hearing the arguments and pronouncing the judgment, the case cannot be transferred to some other Court. If some corrections are to be done in the deposition, the petitioner is always at liberty to approach the trial Court itself for making proper correction in the deposition. But, without approaching the trial Court, the petitioner has filed the present petition making allegations against the Presiding Officer without any reasonable ground.

6. I find absolutely no reason to interfere with the trial at the fag end of the trial process. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

22.12.2023

Index : Yes/No

Internet : Yes/No

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G.ILANGOVAN. J.

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To

- 1.The Inspector of Police,
Tisyanvilai Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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