



Crl.O.P.No.13029 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.13029 of 2024

and

Crl.M.P.No.7944 of 2024

S.Sivakumar

... Petitioner

Vs.

1.State rep.by
The Inspector of Police,
T-12, Poonamallee Police Station,
Chennai-600 087

2.G.A.Girija

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to allow the Criminal Original Petition by setting aside the order 30.04.2024 in C.M.P.No.821 of 2024 in Tr.C.N.P.No.820 of 2024 pending on the file of the District and Sessions Judge at Tiruvallur.

For Petitioner : Mr.B.Hari Krishnan

For R1 : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)



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ORDER

WEB COPY Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police.

2. The petitioner is the accused in a criminal prosecution initiated by a practising advocate. At the fag end of the trial, it appears that the Transfer Petition was filed by the defacto complainant making certain accusation against the Presiding Officer as well as the accused persons which has led to entertaining the Transfer Petition and grant of interim stay for further proceedings in the trial.

3. The learned counsel appearing for the petitioner states that it is a clear abuse of process of law, wherein, very vile allegations been made against the Presiding Officer and the accused persons so as to drag on the proceedings, wherein the witnesses already turned hostile and not supported the prosecution.

4. This Criminal Original Petition is filed under Section 482 Cr.P.C., challenging the interim order of stay in the transfer petition. This



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Court is of the opinion that it is suffice to direct the Principal District Judge to dispose the Tr.C.M.P., petition on merits taking into consideration the grounds raised in the petition and pass order within a period of 30 days from today.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, the connected Criminal Miscellaneous Petition is closed.

05.06.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

Note: Issue Order copy on 06.06.2024

To

1.The District and Sessions Judge, Tiruvallur.

2.The Inspector of Police,
T-12, Poonamallee Police Station,
Chennai-600 087

3.The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

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