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Crl.OP.No.13243 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.13243 of 2024

and

Crl.MP.No.8059 of 2024

D.Ashokraj

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by its
Sub-Inspector of Police,
Uthukuli Police Station,
Tiruppur District.
(Cr.No.425 of 2023)

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to transfer C.C.No.189 of 2023 on the file of the District Munsif-Cum-Judicial Magistrate Court, Uthukulli to any other Judicial Magistrate at Pollachi or any other competent Court in Coimbatore District.

For Petitioner : Mr.Pavel

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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ORDER

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Alleging that the learned Judicial Magistrate has recorded 313 Cr.P.C questioning at 09.30 p.m., suspecting his credentials, the present petition is filed for transferring of trial to some other court.

2. This Court is suppressed of the fact that the Judicial Magistrates are hard pressed for time and they are requested to expedite the trial in the case so that, judiciary is not blamed for delay. While so, in the case which is at the stage of completion of examination of prosecution witnesses, the Magistrate has thought fit to question the accused about the incriminating evidence against him after the specified Court hours. However, the Magistrate is always a Magistrate for 24 x 7. For that reason, the case cannot be transferred to some other Court when no prejudice is caused to the petitioner/accused or no malice in the act of the Magistrate. Hence, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

07.06.2024



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Vv

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To

1. The Sub-Inspector of Police,
Uthukuli Police Station,
Tiruppur District.
2. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

Vv

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