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Crl. O.P. No. 16195 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl. O.P. No. 16195 of 2024

Karthi @ Karthikeyan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Katpadi Sub Division,
Vellore District.

2.The State represented by
The Inspector of Police,
Latheri Police Station,
Vellore District.

3.Gowsalya

... Respondents

Prayer: Criminal Original Petition is filed under Section 407 of Cr.P.C., to withdraw the Spl. S.C. No. 9 of 2020 on the file of the Special Judge SC/ST Cases, Vellore, Vellore District transfer the same to some other appropriate Court.

For Petitioner : Ms. P. Padmeshwari

For Respondents : Mr. S. Udaya Kumar, for R1 & R2
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed to transfer the trial of SC.No.9 of 2020 from the file of learned Special Judge, SC/ST Court Vellore to any other Court.

2. The petitioner is the 5th accused in this case. Alleging that the witnesses for the prosecution been cuted by the police and unnecessary interference caused by the Public Prosecutor. While witnesses deposed, the presiding Officer act as a new spectator and the trial proceedings are not conducted in a fair manner stating some incidents while examining P.W.12, P.W.13, P.W.16 and P.W.24, the learned counsel submitted that the recording of depositions are not done properly. Further, it is also alleged that the application filed under Section 91 was not considered in accordance with law by the trial Court. Whereas, the application filed by the prosecution to receive additional documents liberally allowed despite objection.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the case of honour killing been conducted



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in a fair and transparent manner by the prosecution. So far, 34 witnesses were examined and the case is now posted for examination of Investigating Officer. The petitioner herein after making all attempts to delay the progress of the trial by filing frivolous petition . Now sought for transfer of trial without untenable grounds.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side).

4. The perusal of the petition seeking transfer does not indicate any acceptable reason to transfer the trial at the fag end. The dismissal of application filed by the petitioner or allowing the petition filed by the prosecution are all judicial orders. If the petitioner is any way agreed is a remedy to challenge the said order before the appropriate Court that cannot be reason to transfer the trial. Hence, the Criminal Original Petition for transfer is dismissed.

10.07.2024

Vv



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To

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1. The Special Judge SC/ST Cases, Vellore, Vellore District.
2. The Deputy Superintendent of Police,
Katpadi Sub Division,
Vellore District.
3. The Inspector of Police,
Latheri Police Station,
Vellore District.
4. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

Vv

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