



Crl.O.P.No.23373 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.23373 of 2024

P.Nagaraja Reddy

... Petitioner

Vs.

1.The State, Rep by
The Inspector of Police,
Thally Police Station,
Krishnagiri District.

2.Nagaraj @ Kuddynagan
3.Naveen
4.Muniraj @ Thuppa
5.Rajkumar
6.Sandra

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, pleaded to withdraw the session case in S.C.No. 109 of 2021 from the file of the learned Chief Judicial Magistrate, Krishnagiri to any other competent court within Dharmapuri District by appreciating the facts and circumstances of the case.

For Petitioners : Mr.R.Thirumoorthy

For R1 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)



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ORDER

The defacto complainant in Crime No.3 of 2012 dated 05.01.2012 which has taken cognizance by the Chief Judicial Magistrate, Krishnagiri on filing of final report seeks transfer of the trial from Krishnagiri to Dharmapuri District, on the ground that the accused persons are very powerful persons in the locality and they are threatened the prosecution witnesses.

2. In this connection, the learned counsel also refers the complaint given through the Judicial Magistrate to the police regarding threat and the same been registered by the respondent police and under investigation.

3. The learned Government Advocate (CrI.Side) appearing for the respondent police submits that so far 5 witnesses been examined out of 11 witnesses. Threat to the listed witnesses also is under investigation in C.S.R.No.197 and 198 of 2024 dated 19.09.2024.



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4. Threat to the witnesses by the powerful persons has become common and that is the reason why, Witness Protection Scheme, 2018 has come into force. Change of trial from one district to another district is not remedy for trust the menace, since the witnesses are going to be the same. Therefore, it is appropriate and sufficient to direct the respondent police to act on the complaint given against the accused persons for threatening and proceed in accordance with law and give adequate protection to the other witnesses for them to depose before the Court without fear.

5. With the above said directions, this Criminal Original Petition is disposed of.

24.09.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Chief Judicial Magistrate, Krishnagiri.

2.The Inspector of Police,
Thally Police Station,
Krishnagiri District.



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Dr.G.JAYACHANDRAN,J.

rpl

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

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