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Crl. O.P.No. 23871 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No23871 of 2024

and

Crl.MP.No.13475 of 2024

D. Rajesh Kanna

.. Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by
The Inspector of Police
Valasaravakkam Police Station,
Chennai-87.

2.Satheesh Kumar @ Satheesh

3. Pradeep Kumar

4. Latha

.. Respondents

Prayer: Criminal Original Petition is filed under Section 447 of BNSS, 2023, to transfer the case in Spl.SC.No.87 of 2023, pending on the file of the Fast Track Mahila Court, Thiruvallur to the Fast Track Mahila Court, Srivilliputtur, Virudhunagar District to conduct joint trial along with Spl.SC.No.92 of 2022.

For Petitioner : Mr. G.Saibaba

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



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ORDER

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This Criminal Original Petition is filed for transfer of Spl.SC.No.87 of 2023 on the file of Mahila Court, Thiruvallur to Fast Track Court at Srivilliputhur, Virudhunagar pending in Spl.SC.No.92 of 2022 on the ground that the Presiding Officer of Mahila Court at Thiruvallur does not permitted to cross examine the witnesses in respect of issue regarding the age of the victim.

2. Though in this case the victim is one and the same, the incident of penetrative sexual offence from different dates at different places, two FIRs' been registered. Out of which, one was registered in Cr.No.22 of 2022 dated 01.02.2022 which is pending in Spl.Sc.No. 92 of 2022 before the Fast Track Mahila Court, Srivilliputhur, Virudhunagar and another was registered in Cr.No.67 of 2023 dated 24.03.2023 is subject matter of Spl.SC.No.87 of 2023 on the file of Fast Track Mahila Court, Tiruvallur.

3. The incident and the place of occurrence been different and the reasons stated for transfer will infact allowed will cause hardship to the



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victims and witnesses. This Criminal Original petition for transfer dismissed more particularly stage of the case are different and in fact the case pending in Fast Track Mahila Court, Thiruvallur is posted for arguments on 30.09.2024. If the transfer petition is allowed it will cause injustice to the victim.

4. In the light of the above, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

27.09.2024

Vv

To

1. The Inspector of Police
Valasaravakkam Police Station,
Chennai-87.
2. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN,J.

Vv

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