



Crl.O.P.(MD)No.20709 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **20.02.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

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A.Paulraj

... Petitioner/PW-1

Vs.

State Rep. by
The Inspector of Police,
Puthanatham Police Station,
Trichy District.
Crime No.63 of 2017

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to withdraw the case in Spl.S.C.No.44 of 2018 on the file of the Special Court and I Additional Sessions Court, Trichy and transfer the same to the file of the learned Judicial Magistrate or any other nearby districts.

For petitioner : Mr.T.Leninkumar

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This petition has been filed seeking to withdraw the case in Spl.S.C.No.44 of 2018 on the file of the Special Court and I Additional



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Sessions Court, Trichy and transfer the same to the file of the learned Judicial Magistrate or any other nearby districts.

2.The case of the petitioner is that the case is of the year 2017 and after completion of investigation, the Deputy Superintendent of Police filed a charge sheet filed before the learned Judicial Magistrate, Manapparai, for the offences under Sections 294(b), 323 and 506(i) of IPC and Sections 3(1)(r) and 3(1)(s) of SC/ST (POA) Amendment Act, 2015 and the learned Magistrate took cognizance thereon and committed the case to the 1st Additional District and Sessions Judge, (PCR), Trichy and the same was numbered in Spl.S.C.No.44 of 2018. The learned Special Judge without giving respect to the victim's rights and did not allow him to give his evidence freely. Hence, the petitioner has filed the present petition with the above said prayer.

3.The learned counsel for the petitioner would submit that without going into the merits of the case, this Court may issue a direction to the respondent police to ensure the safety of the petitioner during the cross examination.



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4.The learned Additional Public Prosecutor appearing for the State would submit that there is no threat to the petitioner and the petitioner safety will be ensured during the cross examination.

5.In view of the above, this Criminal Original Petition is disposed of with a direction to the respondent police to ensure the safety of the petitioner during the cross examination.

20.02.2024

Index : Yes/No
Internet : Yes/No
SJI
To

- 1.The Special Court and I Additional Sessions Court, Trichy.
- 2.The Inspector of Police,
Puthanatham Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

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