



Crl.O.P.No.8965 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.8965 of 2025

1.David
2.Kumar
3.Ramesh

... Petitioners

Vs

1.State Represented by
The Inspector of Police,
Thiruvanmiyur Police Station,
Chennai.

2.T.Seenivasan

... Respondents

Prayer : Criminal Original Petition has been filed under Section 447 of BNSS Act, 2023, pleaded to withdraw and transfer the Sessions case in SC No.319 of 2022 on the file of XVI Additional Sessions Judge, Singaravelar Maligai at Chennai to any other Court of Sessions and in any other District.

For Petitioners	: Mr.Charles Muthushanthan
For R1	: Mr.A.Gopinath, Government Advocate (Crl. Side)



Crl.O.P.No.8965 of 2025

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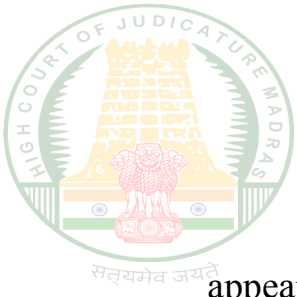
ORDER

This Criminal Original Petition has been filed to withdraw and transfer the Sessions case in SC No.319 of 2022 on the file of XVI Additional Sessions Judge, Singaravelar Maligai at Chennai to any other Court of Sessions.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the first respondent and perused the materials available on record.

3. The learned counsel for the petitioner would submit that the petitioners are arrayed as A1 to A3 and they are facing charges under Sections 341, 307 read with Section 34 of IPC. He submitted that the trial Judge touted the witness and as such, they will not get a fair trial before the same Presiding Officer.

4. The trial is pending from the year 2022. The petitioners failed to



CrI.O.P.No.8965 of 2025

WEB COPY

appear before the Trial Court and as such, Non Bailable Warrant was issued against them. The warrant has been recalled and only now, the petitioners appeared before the Trial Court. So far, the prosecution had examined only PW1 in chief.

5. Therefore, the grounds raised by the petitioner cannot be considered and this Court is not inclined to transfer the Sessions case in SC No.319 of 2022 on the file of XVI Additional Sessions Judge, Singaravelar Maligai at Chennai to any other Court. However, the XVI Additional Sessions Judge, Singaravelar Maligai at Chennai is directed to complete the Trial in SC No.319 of 2022, within a period of six months from the date of receipt of a copy of this order.

6. Accordingly, this Criminal Original Petition is dismissed.

26.03.2025

Index: Yes/No
Speaking Order: Yes/No
mn

G.K.ILANTHIRAIYAN,J.



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CrI.O.P.No.8965 of 2025

mn

To

- 1.The XVI Additional Sessions Judge,
Singaravelar Maligai at Chennai.
- 2.The Inspector of Police,
Thiruvanmiyur Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.8965 of 2025

26.03.2025