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Crl.O.P.No.10434 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2025

CORAM:

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

Crl.O.P.No.10434 of 2025

Pazhanivel

... Petitioner

Vs.

1.The Superintendent of Police,
Cuddalore District.

2.The Inspector of Police,
Virudhachalam Police Station,
Virudhachalam, Cuddalore.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to withdraw and transfer the case in S.C.No.227 of 2021 on the file of the Additional Sub-Judge, Virudhachalam to any other Court.

For Petitioner : Mr.M.Selvam



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For Respondents : Mr.A.Gopinath,
Government Advocate (crl.side).

ORDER

This Criminal Original Petition has been filed seeking withdrawal and transfer of the case in S.C. No.227 of 2021, pending on the file of the learned Additional Sub-Judge, Virudhachalam, to any other Court.

2. Heard both sides and perused the materials placed before this Court.

3. The petitioner is the victim in Crime No.673 of 2017. The accused are facing charges for the offences punishable under Sections 294(b), 323, 324, 506(ii), and 307 of the IPC before the learned Additional Sub-Judge, Virudhachalam, in S.C. No.227 of 2021. The petitioner has sought transfer of the trial on the ground that the accused persons possess manpower, monetary influence, and are associated with rowdy elements and political influence, thereby preventing the petitioner from effectively participating in the trial. However, it is noted that no



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complaint has been lodged by the petitioner to substantiate the claim that threats were made by the accused. In the absence of such a complaint or concrete material, this Court is not inclined to order transfer of the trial in S.C. No.227 of 2021 from the file of the learned Additional Sub-Judge, Virudhachalam to any other Court.

4. Accordingly, this Criminal Original Petition stands dismissed. However, the petitioner is at liberty to file a complaint / petition before the Trial Court in the event of any threat or intimidation by the accused. On receipt of such complaint / petition, the Trial Court is directed to consider the same on its own merits and pass appropriate orders in accordance with law.

15.04.2025

Neutral citation : Yes/No
Speaking/non-speaking order
shk



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G.K.ILANTHIRAIYAN, J.

shk

To

1. The Additional Sub-Judge, Virudhachalam
- 2.1. The Superintendent of Police,
Cuddalore District.
2. The Inspector of Police,
Virudhachalam Police Station,
Virudhachalam, Cuddalore.
3. The Public Prosecutor,
High Court, Madras.

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