



Crl.OP(MD)No.1251 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :18.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.1251 of 2024

and

Crl.MP.(MD).Nos.2591 and 868 of 2024

R.Ponmuthuramalingam

... Petitioner

Vs.

1. The Inspector of Police,
O.o. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.446 of 2015)

2. Ulagasundaram

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in S.C.No.38 of 2024 on the file of the learned Principal District and Sessions Judge, Sivagangai and transfer the case to any other competent Court, preferably before the learned Principal District and Sessions Judge, Coimbatore.

For Petitioner : Mr.SMA.Jinnah

For R-1 : Mr.B.Thanga Aravindh,
Government Advocate
(Criminal Side)



WEB COPY



Crl.OP(MD)No.1251 of 2024

ORDER

This Criminal Original Petition has been filed seeking transfer of the case in S.C. No.38 of 2024, pending on the file of the learned Principal District and Sessions Judge, Sivagangai, to any other competent Court, preferably to the file of the learned Principal District and Sessions Judge, Coimbatore.

2. The learned counsel appearing for the petitioner would submit that the petitioner herein is an Advocate and the deceased was also an Advocate. He would further submit that, owing to the said circumstance, the Sivagangai Bar Association has passed a resolution to the effect that none of its members shall appear on behalf of the petitioner. It is further submitted that when the petitioner attempted to appear before the Court to defend his case, he was subjected to serious life threats. Therefore, the petitioner is unable to conduct the trial freely and fearlessly before the said Court and seeks transfer of the case to some other Court to ensure a fair trial.



Crl.OP(MD)No.1251 of 2024

WEB COPY

3. Per contra, Mr.B.Thanga Aravindh, learned Government Advocate (Criminal Side) would object to the said submission and contend that the allegations of threat are exaggerated and that mere apprehension cannot be a ground for transfer of the case.

4. This Court has considered the rival submissions. Having regard to the peculiar facts and circumstances of the case, particularly the professional status of both the petitioner and the deceased as Advocates, the resolution passed by the local Bar Association, and the apprehension expressed by the petitioner, this Court is of the view that a transfer is warranted to instill confidence in the petitioner and to ensure a fair and impartial trial.

5. Accordingly, the case in S.C. No.38 of 2024 on the file of the learned Principal District and Sessions Judge, Sivagangai, is transferred to the file of the learned Principal District and Sessions Judge, Madurai. The learned Principal District and Sessions Judge, Madurai, is directed to conclude the trial as expeditiously as possible, preferably within a



Crl.OP(MD)No.1251 of 2024

period of two months from the date of transfer of the case from the Principal District and Sessions Court, Sivagangai.

6. Accordingly, this Criminal Original Petition stands allowed.

Consequently, the connected miscellaneous petitions are closed.

18.12.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

TSG

To

1. The Principal District and Sessions Court, Sivagangai.

2.The Principal District and Sessions Court, Madurai.

3.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.OP(MD)No.1251 of 2024

L.VICTORIA GOWRI, J.

TSG

CRL OP(MD)No.1251 of 2024

18.12.2025