



Crl.O.P.(MD)No.2219 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2025

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.2219 of 2025

and

Crl.M.P(MD) No.1558 of 2025

Poovendran

.. Petitioner

Vs.

The Inspector of Police
Vilampatty Police Station
Dindigul District

.. Respondent

PRAYER : Criminal Original Petition filed under Section 407 of Cr.P.C.,
to withdraw the case in Spl.SC.No.119 of 2024 from the file of the Fast
Track Mahila Court, Dindigul and transfer the same to the file of the
learned Sessions Judge, Mahila Court, Madurai

For Petitioner : Mr.A.Ramesh

For Respondent : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)



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ORDER

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This Criminal Original Petition has been filed by the petitioner to withdraw the case in Spl.S.C.No.119 of 2024 from the file of the Fast Track Mahila Court, Dindigul and transfer the same to the file of the learned Sessions Judge, Mahila Court, Madurai.

2. The learned counsel appearing for the petitioner would submit that the petitioner is facing trial for the charges under Sections 5(l),6,5(n) of POCSO Act, 2012 and Section 366 of IPC. During trial the learned Sessions Judge who is dealing with the case is always threatening the petitioner that he would convict him based on the previous case, despite the previous case ended in acquittal. Already most of the witnesses were examined and they turned hostile. On 24.12.2024 four witnesses were examined in chief and they turned hostile. At that time the learned Sessions Judge threatened the petitioner that he would convict him though four witnesses turned hostile. Subsequently on 30.12.2024 the remaining prosecution witnesses P.W.5 to P.W.8 were examined in chief and they were also cross examined. On 06.01.2025 he appeared before the Court but the advocate did not appear before the Court due to boycott but witness P.W. 9 to P.W.11 were examined in chief and at that time also the



learned Judge threatened the petitioner that he would convict him.

Therefore the learned Judge pre-determined and arrive at a conclusion that the petitioner will be convicted, hence the present petition has been filed.

3. The learned Government Advocate(Crl.side) appearing for the respondent would submit that the allegations levelled by the petitioner are false and no any threats were made by the learned Sessions Judge. Further the allegations are baseless, therefore the present petition is liable to be dismissed.

4. This Court also called for remarks from the concerned Presiding Officer and the Presiding Officer filed his remarks and denied all the allegations levelled against him.

5. In this case the petitioner levelled serious allegations against the Presiding Officer without any basis. These type of allegation without any basis cannot be accepted and the attitude of the petitioner by levelling allegations are highly condemnable and these type of petitions cannot be entertained by this Court. However once the petitioner made allegations



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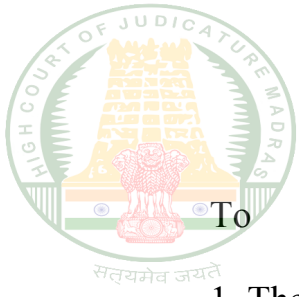
against the Presiding Officer it is not proper to conduct the case before the same Presiding Officer. This Court without accepting the allegations levelled against the Presiding Officer is inclined to transfer the case.

6. Accordingly the case in Spl.S.C.No.119 of 2024 pending the file of the Fast Track Mahila Court, Dindigul is ordered to be transferred to the file of the Fast Track Mahila Court, Sivagangai. The learned Sessions Judge, Fast Track Mahila Court, Dindigul is directed to send the case bundle in Spl.S.C.No. 119 of 2024 to the Fast Track Mahila Court, Sivagangai within a week. After receipt of case records the learned Sessions Judge, Fast Track Mahila Court, Sivagangai is directed to issue summons to the petitioner and the accused and to proceed with the case in accordance with law and to dispose the same as early as possible.

7. With the above direction, the Criminal Original stands allowed. Consequently connected miscellaneous petition stands closed.

13.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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- To
1. The Fast Track Mahila Court, Sivagangai
 2. The Fast Track Mahila Court, Dindigul
 3. The Inspector of Police
Vilampatty Police Station
Dindigul District
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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