



*Crl.O.P.(MD)No.4204 of 2024*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 01.04.2025**

**CORAM**

**THE HON'BLE MR.JUSTICE P.DHANABAL**

**Crl.O.P.(MD)No.4204 of 2024**

**Malarvizhi**

**.. Petitioner**

**Vs.**

**1. The Inspector of Police  
All Women Police Station  
Ramanathapuram District**

**2. Azhagarsamy**

**.. Respondents**

**PRAYER :** Criminal Original Petition filed under Section 528 of BNSS, to transfer the case in C.C.No.337 of 2022 on the file of the learned Judicial Magistrate, Kamuthi to any of the competent Court in Kanyakumari District or any competent Court other than Ramanathapuram District in accordance with law within the time stipulated by this Court.

**For Petitioner : Mr.R.Alagumani**

**For Respondents : Mr.M.Sakthi Kumar  
No.1 Government Advocate(Crl.Side)**



*Crl.O.P.(MD)No.4204 of 2024*

## **ORDER**

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This Criminal Original Petition has been filed by the petitioner to to transfer the case in C.C.No.337 of 2022 on the file of the learned Judicial Magistrate, Kamuthi to any of the competent Court in Kanyakumari District or any competent Court other than Ramanathapuram District in accordance with law within the time stipulated by this Court.

2. The learned counsel appearing for the petitioner would submit that the petitioner is the defacto complainant in this case and L.W1 of the case in C.C.No.337 of 2022 on the file of the learned Judicial Magistrate, Kamuthi. The petitioner was working as a Village Administrative Officer and the second respondent is the husband of Keelaramanathi Village Panchayat President who is assisting the petitioner in surveying and inspecting the land in Keelaramanathi Village, Ramanathapuram District. Due to harassment made by the second respondent she resigned her job and now working as Assistant in Zone Joint Director Officer, Veterinary Department, Kanyakumari District. While so the second respondent threatened the petitioner to come to Ramnathapuram District otherwise he will post the private photos in the website. Therefore the petitioner sent a complaint against the second



*Crl.O.P.(MD)No.4204 of 2024*

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respondent, for which a case has been registered in Crime No.13 of 2022 and after completing investigation the case is pending before the learned Judicial Magistrate, Kamuthi for examination of witnesses. The second respondent is influenced person and hence he threatened the petitioner as well as main witnesses and attempted to tamper the witnesses. The henchmen of the second respondent is also following the petitioner and continuously harassing the petitioner through phone calls and making life threat thereby the petitioner has sent a representation dated 08.02.2024 to the first respondent to provide police protection but no action was taken. Therefore the case has to be transferred from the file of the learned Judicial Magistrate, Kamuthi to any other competent Court in Kanyakumari District or any other Court in Ramanathapuram District.

3.The learned Government Advocate(Crl.Side) appearing for the first respondent would submit that based on the complaint given by the petitioner a case was registered against the second respondent and now the case is posted for examination of witnesses and the petitioner is evading from giving evidence and there are no grounds to transfer the case and there is no allegations as against the police officials, hence the petition is liable to be dismissed.



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4. Heard both sides and perused the materials available on record.

5. This petition is filed by the petitioner for transfer of case in C.C.No.337 of 2022 on the file of the learned Judicial Magistrate, Kamuthi to some other Court. The reason for transferring the case is that the second respondent is an influential person and very often the petitioner received life threat from the henchmen of the second respondent. In order to substantiate the above said allegations levelled against the second respondent there are no materials produced by the petitioner and admittedly now the case is posted for examination of witnesses. Particularly the petitioner was added as L.W.1 and the case is posted for examination of witnesses namely L.W.1 to L.W.3. This petition is filed without any materials to transfer the case. There are no grounds to transfer the case. Merely based on vague allegations the case cannot be transferred. No any complaint was lodged by the petitioner as against the second respondent for the alleged life threat made by him and there is no allegations as against the second respondent and the allegations is against his henchmen . Apart from this there are no serious allegations, thereby no ground to transfer the case. Therefore the petitioner has no merits and deserves to be dismissed.



*Crl.O.P.(MD)No.4204 of 2024*

6. Accordingly the Criminal Original Petition stands dismissed.

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**01.04.2025**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes / No  
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To

1. The Judicial Magistrate, Kamuthi
2. The Inspector of Police  
All Women Police Station  
Ramanathapuram District
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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*Crl.O.P.(MD)No.4204 of 2024*

**P.DHANABAL,J.**

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Crl.O.P.(MD)No.4204 of 2024

01.04.2025