



Crl.O.P.(MD)No.12049 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12049 of 2025

S.Satheshkumar

... Petitioner

versus

1. The Inspector of Police,
Sankarankovil Town Police Station,
Tenkasi District.

2. Navaneetha Krishnan

...Respondents

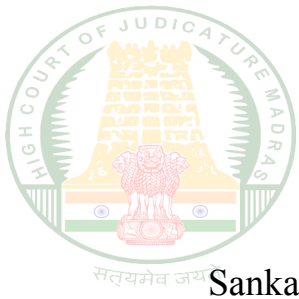
Prayer : Criminal Original Petition filed under Section 528 of BNSS, to withdraw and transfer the criminal case in C.C.No.1233 of 2022 from the file of the learned Judicial Magistrate No.I, Sankarankoil to the file of the learned Judicial Magistrate No.I, Madurai and to try the same.

For Petitioner : Mr.Raja Karthikeyan

For R1 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

ORDER

The petitioner, who is the defacto complainant in Crime No.7 of 2022 has filed this petition seeking to transfer the case in C.C.No.1233 of 2022 which is pending on the file of the learned Judicial Magistrate,



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Sankarankoil, to the file of the learned Judicial Magistrate No.I, Madurai.

2. The learned counsel appearing for the petitioner submits that the petitioner/defacto complainant is a disabled person, having disability at 75% and he is also facing a threat from the second respondent/accused in C.C.No.1233 of 2022. Therefore, the learned counsel seeks a direction to transfer the case in C.C.No.1233 of 2022 which is pending on the file of the learned Judicial Magistrate, Sankarankoil, to the file of the learned Judicial Magistrate No.I, Madurai.

3. The learned Government Advocate (Crl. Side) submits that they have not received any complaint from the petitioner that he is facing a threat from the second respondent, who is none other than the brother-in-law of the petitioner. He further submits that the petitioner has lodged a complaint that was duly registered and the final report has also been filed before the learned Judicial Magistrate, Sankarankoil. If any complaint is received from the petitioner that he is facing a threat, they would take appropriate action.

4. This Court considered the rival submissions.



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5. The petitioner/the defacto complainant has filed this petition seeking transfer of the case in C.C.No.1233 of 2022 which is pending on the file of the learned Judicial Magistrate, Sankarankoil, to the file of the learned Judicial Magistrate No.I, Madurai.

6. The case in Crime No.7 of 2022 has been registered at the instance of the petitioner. The petitioner claims that he is a disabled person having disability at 75%. The petitioner is working as a Headmaster and he is also attending the school. While so, it may not be difficult for him to appear before the trial Court for a particular day to adduce his evidence. On this ground, this Court is not inclined to transfer the case in C.C.No.1233 of 2022 which is pending before the learned Judicial Magistrate, Sankarankoil, to the file of the learned Judicial Magistrate No.I, Madurai.

7. The petitioner has also taken another ground that he is facing a threat from the second respondent/accused in C.C.No.1233 of 2022. The learned Government Advocate submitted that they have not received any complaint from the petitioner as to the nature of threat posed by the second respondent and whenever any complaint of threat is received from the petitioner, it can be considered in accordance with law.



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8. The petitioner is expected to adduce the evidence on a particular day. On that day, the petitioner is at liberty to make a request to the respondent Police to provide police protection under the victim protection scheme to ensure that he is adducing evidence before the learned Judicial Magistrate, Sankarankoil, without any threat or fear.

9. Accordingly, this Criminal Original Petition is closed.

17.07.2025

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

1. The Inspector of Police,
Sankarankovil Town Police Station,
Tenkasi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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