



Crl.O.P.(MD)No.12832 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12832 of 2025
and
Crl.M.P(MD) No.10070 of 2025

R.Rajiv Gandhi

... Petitioner

Vs

1.State of Tamil Nadu,
Rep. by The Inspector of Police,
Thanthonimalai Police Station,
Karur District.

2. Rathinam

3.The Advocate Bar Association,
Karur.

4.The Bar Council of Tamil Nadu and Pondicherry,
High Court Campus, Chennai.
(R3 and R4 are *suo motu* impleaded
by this Court by order, dated 31.07.2025)

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS,to
withdraw the case in S.C.No.86 of 2025 on the file of the learned Principal
District and Sessions Judge, Karur and transfer the same to Trichy District
or any other nearby Districts.



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For Petitioner : Mr.T.Lenin Kumar
For R1 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor
For R2 : Mr.N.Sudhagar Nagarj
For R3 and R4 : Mr.Niranjan S.Kumar

ORDER

The petitioner is the 1st accused in S.C.No.86 of 2025 on the file of the learned Principal District and Sessions Judge, Karur. He is facing the charges for the offence under Sections 332(b), 61(2), 133, 311 of BNS 2023. He has moved this petition seeking to transfer the trial in S.C.No.86 of 2025 from the file of the learned Principal District and Sessions Judge, Karur, to some other Court.

2. The learned counsel appearing for the petitioner submits that the victim in this case is a Member of Karur Advocate Bar Association. Therefore, the Karur Advocate Bar Association has passed a resolution preventing the Advocates from appearing and defending the case of the petitioner/accused in S.C.No.86 of 2025. Therefore, the learned counsel for the petitioner submits that the petitioner is not in a position to defend his case effectively before the trial Court. Copy of the above said resolution is



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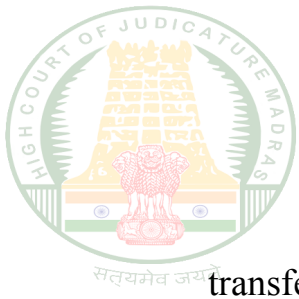
produced before this Court.

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3. This Court considered the rival submissions made by either side.

4. The petitioner has approached this Court contending that the Karur Advocate Bar Association has passed a resolution restraining its members from appearing and defending him in S.C.No.86 of 2025. On that basis, he seeks transfer of the said case to some other Court. Taking note of the submission, this Court ordered notice to respondent Nos.3 and 4 and also directed the petitioner to produce a copy of the said resolution of the Bar Association

5. In response to this earlier order, dated 31.07.2025, this petitioner has produced the resolution of their Karur Bar Association. From the above resolution, it is seen that the petitioner, a practicing Advocate and a member of the Karur Bar Association, is alleged to have assaulted a senior member of the Bar. Consequently, a resolution was passed removing him from the primary membership of the Association. Relying on this resolution, the petitioner has filed the present application contending that he is prevented from effectively defending his case before the trial Court and, hence, seeks



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transfer of the proceedings to some other Court.

6. Since the petitioner himself is an Advocate, he can very well defend his case as a party-in-person, even if he is unable to engage any counsel. Moreover, no resolution has been placed before this Court to show that the petitioner is legally restrained from engaging a counsel to defend his case.

7. In view of the above, this Court finds no merit in the request for transfer of the case. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected Miscellaneous Petition is closed.

11.08.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

Indu



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To

- 1.The Inspector of Police,
Thanthonimalai Police Station,
Karur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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