



Crl.O.P.No.912 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.912 of 2026
and Crl.M.P.No.498 of 2026

Elayaraja

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thirumanur Police Station,
Ariyalur District. (Crime No.147 of 2025)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to withdraw the case in C.C.No.422 of 2025 pending before the learned Judicial Magistrate No.II, Ariyalur District and transfer the same to any other competent Court in Thanjavur District.

For Petitioner : Mr.S.Seenuvasan

For Respondent : Mr.S.Santhosh
Government Advocate (Criminal Side)

ORDER

The present Criminal Original Petition has been filed seeking to transfer of the case in C.C.No.422 of 2025 from the file of the learned Judicial Magistrate No.II, Ariyalur District, to the file of any other competent Court in Thanjavur District.



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2. Learned counsel appearing for the petitioner submitted that the petitioner, a resident of Thanjavur District, is facing trial in C.C.No.422 of 2025 on the file of the learned Judicial Magistrate No.II, Ariyalur District, in connection with Crime No.147 of 2025 registered by the respondent police for offences under Sections 303(2) of the BNS. He further submitted that the petitioner is a daily wager and has no financial means to travel and appear before the Judicial Magistrate Court No.II, Ariyalur District. Hence, the present petition has been filed.

3. Learned Government Advocate (Criminal Side) submitted that there are nine witnesses in C.C.No.422 of 2025 and the case now stands posted for commencement of trial on 22.01.2026. He further submitted that one previous case is also pending against the petitioner.

4. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record, and noting that the case now stands posted for examination of LW1, this Court is of the view that the case cannot be transferred at this stage. Further, admittedly, the petitioner hails from Thanjavur and Thanjavur and Ariyalur are not far apart and hence, the grounds raised by the petitioner seeking transfer cannot, therefore, be accepted.

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5. Accordingly, this Criminal Original Petition stands dismissed.

However, the learned Judicial Magistrate Court No.II, Ariyalur District, is directed to complete the trial as expeditiously as possible. Consequently, the connected miscellaneous petition is closed.

20.01.2026

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Neutral Citation: Yes/No

To

1. The Judicial Magistrate No.II,
Ariyalur District.
2. The Inspector of Police,
Thirumanur Police Station,
Ariyalur District.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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20.01.2026