



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.09.2018**

CORAM:

**THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH**

Crl.O.P. [MD].No.3394 of 2016

and

Crl.M.P (MD) Nos.1722 and 1752 of 2016

Victoriya

.... Petitioner

**Vs.**

1. The State Rep. by  
The Sub Inspector of Police  
Anjugramam Police Station  
Kanyakumari District

2.Vasanaperumal

.... Respondents

**PRAYER** : Criminal Original Petition is filed under Section 407 of Cr.P.C., to withdraw and transfer the case in C.C.No.277 of 2015 pending on the file of the learned Judicial Magistrate No.III, Nagercoil, Kanyakumari District to the learned Judicial Magistrate ,Valliyur, Tirunelveli District.

For Petitioner : Mr.S.M.Lingeswaran

For Respondents: Mr.K.Suyambulinga Bharathi

No.1 Government Advocate(Crl.Side)

No.2 : No appearance

**ORDER**

This petition has been filed for a direction to withdraw and transfer the case in C.C.No.277 of 2015 pending on the file of the learned Judicial Magistrate No.III, Nagercoil, Kanyakumari District to the learned Judicial Magistrate ,Valliyur, Tirunelveli District.

2. The petitioner has sought for transfer on ground that the defacto complainant in this case is an advocate practising in Nagercoil. The Bar association of Nagercoil passed a resolution that no advocate from the bar will appear on behalf of the petitioner, therefore the petitioner has filed this petition seeking for transfer on the ground that he will not be able to effectively defend his case before the Magistrate Court No.III at Nagercoil.



3. Taking into consideration the facts and circumstances of the case, the case in C.C. No.277 of 2015 pending on the file of the learned Judicial Magistrate No.III, Nagercoil is withdrawn and transferred to the file of the learned Judicial Magistrate, Valliyoor. The learned Judicial Magistrate No.III, Nagercoil shall take immediate steps to transfer the entire case records to the file of the learned Judicial Magistrate, Valliyoor.

4. The Criminal Original Petition is allowed with the above direction. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (WRITS)

// True Copy //

Sub Assistant Registrar (CS-II)

To

- 1.The Judicial Magistrate No.III,  
Nagercoil
- 2.The Judicial Magistrate,  
Valliyoor
- 3.The Sub Inspector of Police  
Anjugramam Police Station  
Kanyakumari District
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+ 1 CC TO MR.A.ROBINSON, ADVOCATE IN SR NO.87964

aav

BU/SV/SAR-2 :24.10.2018 : 2P/6C

Cr1.O.P.[MD].No.3394 of 2016  
28.09.2018