

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION
TRANSFER PETITION (CRL.) NO.512 OF 2008

SUBRAMANIAN SWAMY.

Petitioner(s)

VERSUS

STATE OF T.NADU & ORS.

Respondent(s)

O R D E R

Heard the petitioner, who appeared, in person.

The petitioner has filed a public interest litigation alleging that large scale persons are being released from various prisons in the State of Tamil Nadu, without complying with the provisions of Section 433-A of the Criminal Procedure Code and a writ petition is pending in the High Court. The petitioner herein seeks transfer of that writ petition, pending before the High Court to this Court by way of this petition on the ground that a similar petition has been filed in respect of the State of Andhra Pradesh, which is pending in this Court. The case, which is pending in the Andhra case, is not similar to the petition filed by the petitioner. In our opinion, the High Court, after hearing the contentions raised by the petitioner, will dispose of the matter on merits. We, therefore, see no reason to allow the transfer of the matter pending before the High Court to this Court. Accordingly, the Transfer Petition is rejected. However, the petitioner would be at liberty to raise all his contentions before the High Court.

.....CJI.
(K.G.BALAKRISHNAN)

.....J.
(P.SATHASIVAM)

NEW DELHI;
13TH APRIL, 2009.