

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2015

CORAM:

THE HONOURABLE MS.JUSTICE K.B.K.VASUKI

Crl.O.P.Nos.22583 and 22584 of 2015

Crl.O.P.No.22583 of 2015

State Rep. by
The Deputy Superintendent of Police,
Economic Offences Wing-II
II Block, I Floor,
SIDCO Old Corporate Building,
Tr.Vi.Ka.Industrial Estate,
Guindy, Chennai - 600 032.Petitioner/Complainant

Vs.

1. Subash Chandra Kapoor
2. R.Rathinam
3. Sivakumar
4. Kallya Perumal
5. Pitchaimani
6. Albert
7. Kandasamy
8. Arunachalam
9. Sriram @ Sulagu
10. Marisamy
11. Packia Kumar
12. Sanjivi Asokan

...Respondents/Accused (A1 to A12)

Prayer in Crl.O.P.No.22583 of 2015: This petition filed under Section 407 Cr.P.C. to transfer the case in C.C.No.48 of 2012 (Vikkiramangalam Police Station, Crime No.133/2008) on the file of the Judicial Magistrate Court, Jayamkondam to the file of the Additional Chief Judicial Magistrate Court, Kumbakonam [Special Court for Idol Theft Cases] for trial and disposal according to law.
Crl.O.P.No.22584 of 2015

State Rep. by
The Deputy Superintendent of Police,
Economic Offences Wing-II
II Block, I Floor,
SIDCO Old Corporate Building,
Tr.Vi.Ka.Industrial Estate,
Guindy, Chennai - 600 032.

...Petitioner

Vs.

1. Subash Chandra Kapoor
2. Sanjivi Asokan
3. Marichamy
4. Packia Kumar
5. Sriram @ Sulagu
6. Parthiban
7. Pitchaimani

...Respondents

Prayer in CrI.O.P.No.22584 of 2015: This petition filed under Section 407 Cr.P.C. to transfer the case in C.C.No.320 of 2012 (Udayarpalayam P.S. Crime No.65/2008) on the file of the Judicial Magistrate Court, Jayamkondam to the file of the Additional Chief Judicial Magistrate Court, Kumbakonam [Special Court for Idol Theft Cases] for trial and disposal according to law.

For Petitioner in
both petitions : Mr.S.Shanmugavelayutham,
Public Prosecutor

For Respondents in
both petitions : Mr.M.Sreedhar

COMMON ORDER

Heard both sides.

2. Considering the reasons stated in the affidavit filed in support of the petitions about the constitution of the Additional Chief Judicial Magistrate Court, Kumbakonam [Special Court for Idol Theft Cases] for trying the case in C.C.No.48 of 2012 (Crime No.133/2008 at Vikkiramangalam Police Station) and the case in C.C.No.320 of 2012 (Crime No.65/2008 at Udayarpalayam Police Station), vide G.O.(Ms).No.427 Home (Pol.VII) Department, dated 27.05.2015, both the cases, C.C.Nos.48 and 320 of 2012 on the file of the Judicial Magistrate Court, Jayamkondam, are transferred to the Additional Chief Judicial Magistrate Court [Special Court for Idol Theft Cases], Kumbakonam, for trial and disposal according to law, subject to the conditions contained in para 7 of the order dated 13.08.2014 in CrI.O.P.Nos.19311 and 21023 of 2013.

3. In the result, both the petitions are ordered by transferring C.C.Nos.48 and 320 of 2012 on the file of the Judicial Magistrate Court, Jayamkondam, to the Additional Chief Judicial Magistrate Court, [Special Court for Idol Theft Cases], Kumbakonam, for trial and disposal according to law subject to the following conditions:

(i)The accused by name Subash Chandra Kapoor need not be produced before the Additional Chief Judicial Magistrate [Special

Court for Idol Theft Cases], Kumbakonam, for every hearing and his appearance may be recorded through video conference facility available at District Court, Ariyalur, whenever warranted for the hearing except as and when his presence is required before the lower Court concerned.

(ii) When trial is commenced, the accused above named be detained in central Prison at Trichy as and when his physical appearance is required and after trial is completed, the accused may be re-transferred to Central Prison, Puzhal, Chennai.

(iii) During his travel and detention at Central Prison, Trichy, the jail authorities shall ensure that he is given proper food, proper treatment and is also allowed to get medicine from outside if required; and

(iv) The trial Court at Kumbakonam is directed to conduct and complete the trial as expeditiously as possible.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional Chief Judicial
Magistrate Court,
[Special Court for Idol Theft Cases],
Kumbakonam.

2. The Judicial Magistrate,
Jayankondam.

3. -Do- Through The Chief Judicial Magistrate,
Tiruchirapalli.

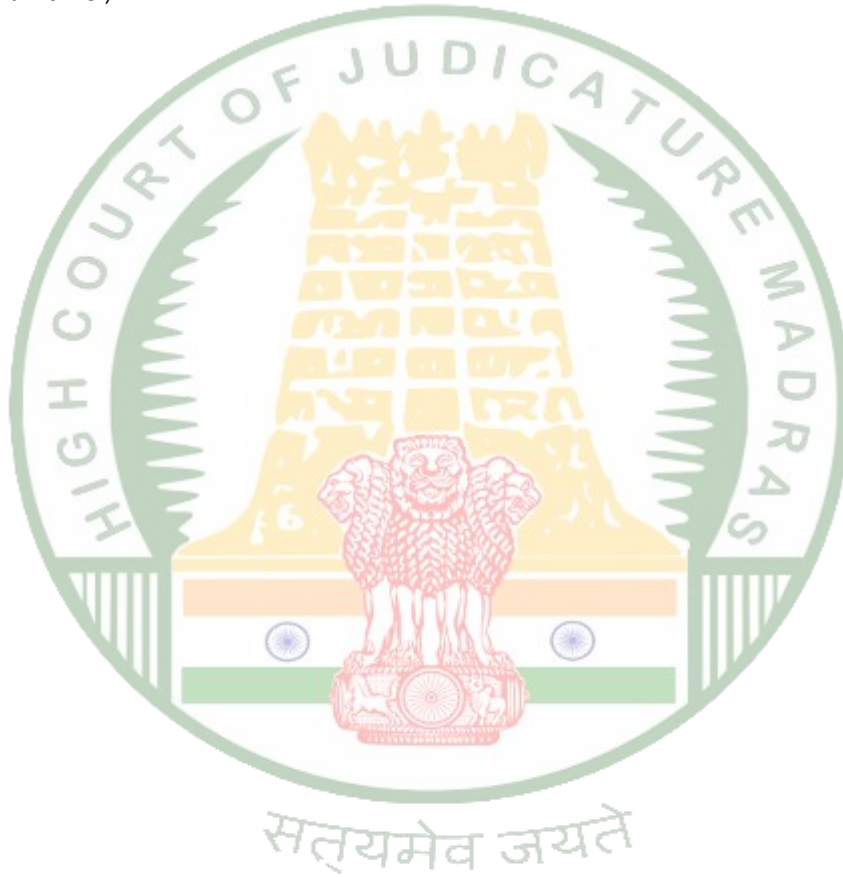
4. The Deputy Superintendent of Police,
Economic Offences Wing-II
II Block, I Floor,
SIDCO Old Corporate Building,
Tr.Vi.Ka.Industrial Estate,
Guindy,
Chennai - 600 032.

5. The Public Prosecutor,
High Court, Madras.

1 CC to the Government Pleader, SR.No. 48693

Cr1.O.P.Nos.22583 and 22584 of 2015

UG (CO)
PSI (05.10.2015)



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