

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Crl.O.P.No.25099 of 2015

S.A.Ramalingam

..Petitioner

Vs.,

1.State Rep. by
The Inspector of Police,
Central Crime Branch-Team XVIII,
Chennai.

2.State Rep.by
The Inspector of Police,
CB CID Metro,
Egmore,
Chennai 600 008.

..Respondents

Prayer: Petition filed under Section 482 of the Criminal Procedure Code praying to direct the first respondent to transfer the investigation in the complaint dated 30.11.2010 bearing the Crime No.257 of 2011 to that of the second respondent to investigate and file the final report within a time frame.

For Petitioner : Mr.V.S.Senthil Kumar

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor,

ORDER

This Criminal Original Petition is filed praying to direct the first respondent to transfer the investigation in Crime No.257 of 2011 from the file of the first respondent to the file of the second respondent and file final report within a time frame.

2.When the matter is taken up for consideration, the learned Additional Public prosecutor submitted that there is no need to transfer the investigation from the file of the first respondent to the second respondent, since the investigation was completed. Further, the final report is to be filed before the jurisdictional Court viz., XI Metropolitan Magistrate Court, Saidapet, Chennai. Since the Honourable Apex Court has only permitted the respondent to investigate the Land Grabbing matters and directed not to file a final report before the Special Court till the disposal of the SLP,

the respondent Police could not file the charge sheet/final report before the Special Court in the above said case. However, if this Court directs the 1st respondent-Police to file the chargesheet , they would file the chargesheet before the jurisdictional court viz., XI Metropolitan Magistrate Court, Saidapet, Chennai.

3.In view of the submissions made on either side, this Court directs the first respondent to file final report before the XI Metropolitan Magistrate, Saidapet, Chennai, with a period of four weeks, from the date of receipt of a copy of this order, and the learned XI Metropolitan Magistrate, Saidapet, Chennai is directed to receive the same on file. The petitioner can work out his remedy after disposal of the S.L.P., pending before the Honourable Apex Court.

4.Accordingly, this criminal original petition is disposed of.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To,

1. The XI Metropolitan Magistrate, Saidepet, Chennai.

2.The Inspector of Police,
Central Crime Branch-Team XVIII,
Chennai.

2.The Inspector of Police, CB CID Metro,
Egmore, Chennai 600 008.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V. S. Senthilkumar, Advocate, S.R.No.3587

EU(23/03/2016)

Cr1.O.P.No.25099 of 2015