

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.21110 of 2016  
and MP.No.9785 of 2016

1.T.Prabha  
2.T.Saran Kumar  
3.T.Jalliyana  
4.G.Naina George

... Petitioners

Vs

1. The State Rep.by  
The Inspector of Police  
Central Crime Branch  
Anti-Land Grabbing, Salem City  
Salem.

2. George John ... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records in Cr.No.25 of 2013 on the file of the Inspector of Police Central Crime Branch Anti Land Grabbing, Salem City and quash the same.

For Petitioner : Mr.P.Kannan Kumar

For Respondent : Mr.C.Emalias,  
Additional Public Prosecutor  
for R1

O R D E R

This petition has been filed to call for the records in Cr.No.25 of 2013 on the file of the Inspector of Police Central Crime Branch Anti Land Grabbing, Salem City and quash the same.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

3.When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that investigation in Crime No.25 of 2013 has been completed and a final report has

been filed on 06.08.2016 before the Special Court (Magistrate Level) for land grabbing cases, Salem.

4. Hence this petition is dismissed with liberty to the petitioner to work out his remedy in the manner known to law.

5. It is brought to the notice of this Court that, the final report was presented by the police before the Special Judicial Magistrate, land grabbing cell Salem on 06.08.2016 and the learned Magistrate has returned the final report on the same day, on the ground that, the Supreme Court has granted stay of all further proceedings before the Special Courts in the state of Tamil Nadu. It will be a travesty of justice, if the final report is kept pending indefinitely, as that will cause prejudice both to the victim and the accused.

6. Therefore this Court directs the respondent police to present the final report before the Judicial Magistrate III, Salem within a period of four weeks from the date of receipt of a copy of this order.

7. On such presentation, Judicial Magistrate III, Salem is directed to take the case on file and proceed the same in accordance with law.

With the above direction this petition is closed. Consequently connected Miscellaneous petition is also closed.

Sd/-  
Assistant Registrar(CS II)

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Sub Assistant Registrar

dpq/gms

To

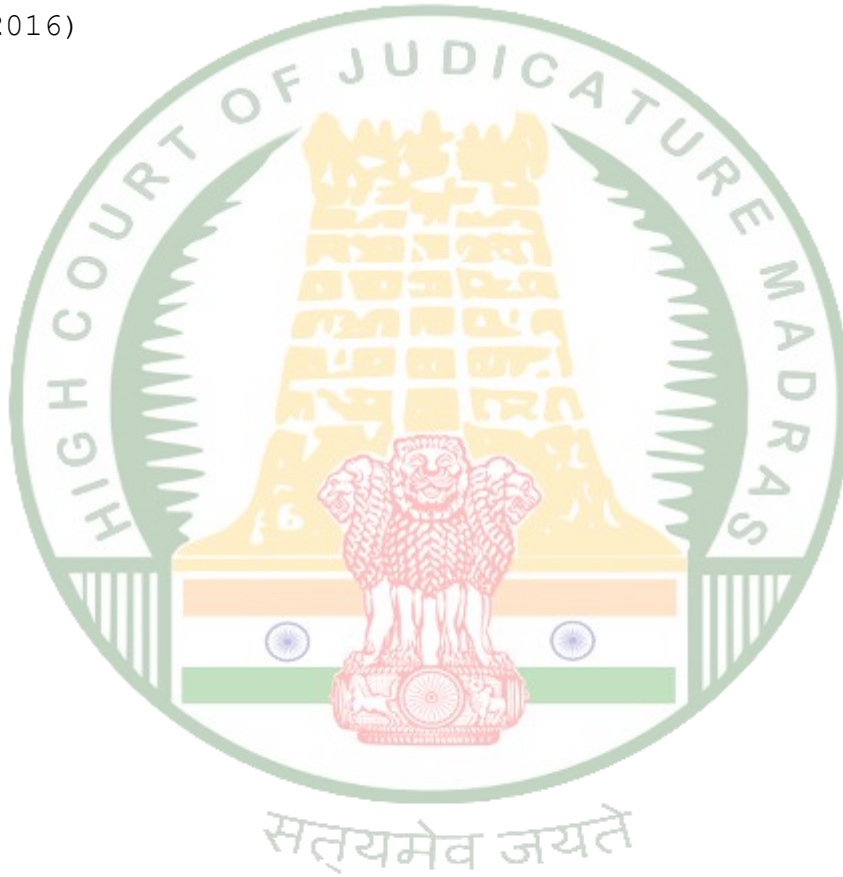
1. The Judicial Magistrate III,  
Salem.
2. Do Through The Chief Judicial Magistrate,  
Salem.
3. The Special Courts for Land Grabbing  
cases (Magistrate Level)  
Salem.
4. The Inspector of Police  
Central Crime Branch  
Anti-Land Grabbing,  
Salem City, Salem.

5. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.P.Kannan Kumar, Advocate, S.R.No.52795

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KK (CO)  
CA (05/10/2016)



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