



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.03.2017

CORAM:
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.(MD)No.2739 of 2017

WEB COPY

E.M.G.S.Arunpothy : Petitioner

-Vs-

1.The State,
Through the Inspector of Police,
Land Grabbing Cell,
Office of the Commissioner of Police,
Madurai City, Madurai.

2.The State,
Through the Inspector of Police,
District Crime Branch (Land Grabbing Cell),
Madurai. : Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the second respondent to file a final report in respect of all the offences involved in Crime No.46 of 2011 on the file of the second respondent, within a stipulated period.

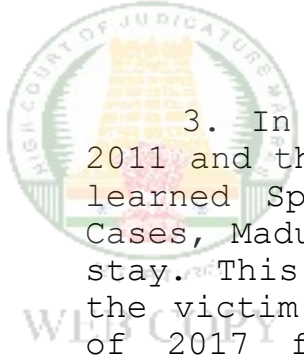
For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

O R D E R

Today, Mr.V.P.Ganesan, Assistant Commissioner of Police, Madurai City, is present in Court. On instructions, the learned Government Advocate (Criminal side) submitted that the investigation in Crime No.46 of 2011 was completed and charge sheet was filed before the learned Special Magistrate for Exclusive Trial of Land Grabbing Cases, Madurai and the same has been taken on file as C.C.No.4 of 2017, for offences under Sections 120-B, 464, 468, 471 and 420 of the Indian Penal Code.

2. It is common knowledge that the Hon'ble Supreme Court of India has stayed all the trials that are pending on the file of the learned Special Magistrate for Exclusive Trial of Land Grabbing Cases, since the very constitution of the said Court is under challenge before the Apex Court.



3. In this case, the First Information Report is of the year 2011 and the final report has been filed in the year 2017 before the learned Special Magistrate for Exclusive Trial of Land Grabbing Cases, Madurai and the case will not progress further because of the stay. This will result in undue prejudice to both the accused and the victim. Therefore, this Court directs the transfer of C.C.No.4 of 2017 from the file of the learned Special Magistrate for Exclusive Trial of Land Grabbing Cases, Madurai, to the file of the Jurisdictional Magistrate, viz., Judicial Magistrate No.I, Madurai. The learned Special Magistrate for Exclusive Trial of Land Grabbing Cases, Madurai, is directed to immediately send the records and original documents to the file of the learned Judicial Magistrate No.I, Madurai, who shall proceed with the case in accordance with law.

4. This Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Special Magistrate for exclusive Trial of Land Grabbing Cases, Madurai.
- 2.The Judicial Magistrate No.1,Madurai.
- 3.The Inspector of Police,
Land Grabbing Cell,
Office of the Commissioner of Police,
Madurai City, Madurai.
- 4.The Inspector of Police,
District Crime Branch (Land Grabbing Cell),
Madurai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to Mr.G.PRABHU RAJADURAI,ADVOCATE,SR NO.16788

SML

MAS/RR/SAR3:04.04.2017:2P-7C

Order made in
CRL.O.P. (MD)No.2739 of 2017
Dated: 21.03.2017