



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P. (MD) No.5230 of 2017

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G.Ramdoss : Petitioner / Defacto Complainant

-Vs-

The State,
Rep. By Inspector of Police,
Land Grabbing Special Cell (Wing),
Madurai. : Respondent / Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to transfer the C.C.No.5 of 2016 on the file of learned Judicial Magistrate, Special court for Exclusive Trial of Land Grabbing Cases, Madurai to any of the Magistrate Court in Madurai.

For Petitioner : Ms.S.M.Anusha
For Respondents : Mr.A.P.Balasubramani
Government Advocate (Crl.side)

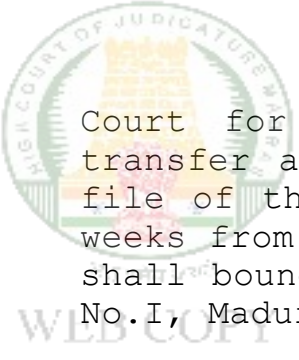
O R D E R

On the complainant lodged by the petitioner, the respondent police registered a case in Crime No.248 of 2012 and after completing the investigation have filed final report in C.C.No. 5 of 2016 before the learned Judicial Magistrate, Special Court for Exclusive Trial for Land Grabbing Cases, Madurai for offences under Sections 147, 120(B), 448, 342, 471, 473, 420, 506 (ii) IPC.

It is common knowledge that the Honourable Supreme Court has stayed all proceedings pending on the file of the Special Court for Exclusive Trial of Land Grabbing Cases in the State, since the very constitutional validity of the Constitution of the said court is under challenge. However, the accused and the victim in a criminal case have a right to speedy trial under Article 21 of the Constitution of India. Therefore, this Court is of the view that it will be in the interest of justice, if the case in C.C.No. 5 of 2016 is transferred from the file of the Special Court for Exclusive Trial of Land Grabbing Cases to the ordinary jurisdictional Magistrate, viz., the Judicial Magistrate No.1, Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>

This Court directs the learned Judicial Magistrate, Special



Court for Exclusive Trial of Land Grabbing Cases, Madurai to transfer all the records and papers in C.C.No. 5 of 2016 to the file of the Judicial Magistrate, Madurai within a period of four weeks from the date of receipt of copy of this order. The accused shall bound over to appear before the learned Judicial Magistrate No.I, Madurai

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3. With the above direction, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate,
Special Court for Exclusive Trial of Land Grabbing cases,
Madurai.

2.The Judicial Magistrate No.I,
Madurai.

3.The Inspector of Police,
Land Grabbing Special Cell (Wing),
Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.S.M.ANUSHA , Advocate, SR No. 55307

SSL/TSG

PSM/SV-MMS/SAR4/03.05.2017/2P/6C

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