



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.06.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.7288 of 2017

V.Senthilmanian

... Petitioner

-vs-

State through
The Inspector of Police,
District Crime Branch,
Trichy District.
(in Crime No.11/2012)

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent to file a final report in Crime No.11 of 2012 on the file of respondent in accordance with law.

For Petitioner	: Mr.G.S.Asok Adhithyan
For Respondent	: Mr.K.Anbarasan
	Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed to direct the respondent to file a final report in Crime No.11 of 2012 on the file of respondent in accordance with law.

2. The learned Government Advocate (Crl.Side) appearing for the State submitted that the investigation in Crime No.11 of 2012 has been completed and the charge sheet was made ready as early as 04.08.2014, but the same has not been taken on file by the learned Judicial Magistrate, Special Court for Anti Land Grabbing Cases, Trichy on the ground that the Hon'ble Supreme Court has granted stay of all further proceedings before the Special Courts for Anti Land Grabbing Cases.

3. It is common knowledge that the Hon'ble Supreme Court has stayed all proceedings before the Special Courts for Anti Land Grabbing Cases in Tamil Nadu as the very constitution of the said Courts is under challenge before the Apex Court. However, the ordinary original jurisdiction of the regular Magistrate to try these cases stands unaffected by the stay granted by the Apex Court. The accused and the victim have got a right of speedy trial guaranteed under Article 21 of the Constitution of India.



4. Therefore, this Court directs the respondent Police to collect the charge sheet and other papers from the learned Judicial Magistrate, Special Court for Anti Land Grabbing Cases, Trichy and file the same before the jurisdictional Court, namely, Judicial Magistrate No.I, Trichy within a period of four weeks from the date of receipt of a copy of this order, who, in turn, shall take the same on file and pass orders in accordance with law.

With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To:

1. The Judicial Magistrate,
Special Court for Anti Land Grabbing Cases,
Trichy.
2. The Judicial Magistrate No.I,
Trichy.
3. The Inspector of Police,
District Crime Branch,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.G.S.Asok Adhithyan, Advocate SR.No. 60677

CrI.O.P.(MD) No.7288 of 2017
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JM/MR/SAR 3/23.06.2017/2P/6C