



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No.8045 of 2017

WEB COPY

A. Sebastin

: Petitioner

-Vs-

The State rep. by
Inspector of Police,
District Crime Branch,
Dindigal District.
In Crime No.77 of 2015.

: Respondent

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to pass an order of direction directing the respondent police to file a final report in Crime No.77 of 2015 on the file of the respondent police within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.A.Kannan
For Respondent : Mr.K.Anbarasan,
Government Advocate (Crl.side)

ORDER

Today, Mr.S.Pitchai Mohaideen, Special Sub-Inspector of Police, Anti Land Grabbing Special Cell, Dindigul, is present in Court. On instructions, the learned Government Advocate (Criminal side) submitted that the investigation in Crime No.77 of 2015 was completed and the charge sheet was filed before the learned Special Magistrate for Land Grabbing Cases, Madurai, on 02.08.2016, but the charge sheet was returned on 04.05.2017 stating as to why the police have not included Elaya Karuppan as accused. Therefore, the learned Government Advocate (Criminal side) submitted that if sometime is given to the police to re-present the charge sheet, they would re-present the same.

2. It is common knowledge that the Hon'ble Supreme Court has stayed all trial proceedings that are pending on the file of the Special Magistrate For Land Grabbing Cases, since the constitution of the said Court is under challenge. In this case, the *defacto* complainant is aged about 70 years. The victim of a crime and the accused are entitled to a fair and expeditious trial. Therefore, this Court directs the respondent police to submit the charge sheet before the ordinary regular jurisdictional Magistrate Court, Dindigul, within three months from the date of receipt of a copy of this order. The learned



Judicial Magistrate No.II, Dindigul, is directed to accept the charge sheet and pass orders in accordance with law. The learned Special Magistrate for Land Grabbing Cases, Madurai is directed to transfer the First Information Report and other records, if any, to the Court of the Judicial Magistrate No.II, Dindigul, within two weeks from the date of receipt of a copy of this order.

3. This Criminal Original Petition is closed with the above direction.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
District Crime Branch,
Dindigul District.

2.The Judicial Magistrate No.II,
Dindigul.

3.The Special Magistrate for Land Grabbing Cases,
Madurai.

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

+1cc to Mr.A.Kannan,Advocate,SR.62757

Order made in
CRL.O.P.(MD)No.8045 of 2017
Dated: 29.06.2017

SML

KK/SKN RSK/SAR4/07.07.2017/2P-6C/