

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.27501 of 2017

I.P.Yesudoss

Founder-Aphro Trust,

No:24, 2nd Cross Street,

VMK Nagar, Surapet Main Road,

Vinayagapuram,

Chennai-600 099.

.. Petitioner

Vs.

The State of Tamil Nadu rep. by

The Superintendent of Police,

EOW-Team II Guindy, Chennai.

..Respondent

PRAYER: Criminal Original Petition filed under Section 407 Cr.P.C. praying to transfer the case in C.C.No.4479/2017 on the file of the Chief Metropolitan Magistrate Court, Allikulam, Chennai to Special Court TNPID Act, Chennai, hand over the control of the case to City Civil Court which is competent to enquire the financial transaction, that court may enquire it and pass order, for which time period may be fixed.

For Petitioner : Mr.I.P.Yesudoss (Party in Person)

For Respondent : Mrs.P.Kritika Kamal
Government Advocate (Crl. Side)

O R D E R

The prayer sought for in the present petition is to transfer the case in C.C.No.4479/2017 on the file of the Chief Metropolitan Magistrate Court, Allikulam, Chennai to Special Court TNPID Act, Chennai, and hand over the control of the case to City Civil Court which is competent to enquire the financial transaction, and that court may enquire it and pass order, for which time period may be fixed and thus a direction.

2. The grounds raised by the petitioner seeking for transfer the proceedings in C.C.No.4479 of 2017 from the Chief Metropolitan Magistrate Court, Allikulam, Chennai to the Special

Court TNPID Act, Chennai are factual in nature and hence, this Court, exercising its powers under Section 407 Cr.P.C., cannot order for such transfer on the factual aspects. It is also open to the petitioner herein to elucidate and establish his case on all the grounds raised in this transfer petition, before the concerned Trial Court.

Accordingly, the Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar(CCC)

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Sub Assistant Registrar

nmn

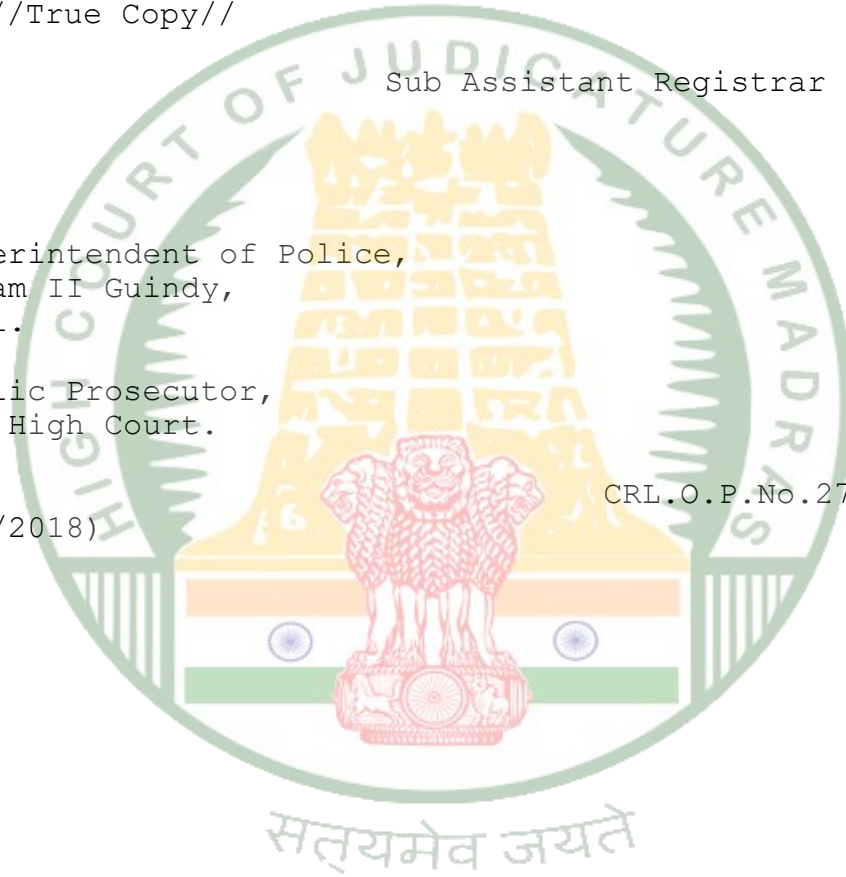
To

1.The Superintendent of Police,
EOW-Team II Guindy,
Chennai.

2.The Public Prosecutor,
Madras High Court.

RRK(01/02/2018)

CRL.O.P.No.27501 of 2017



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