

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 08.11.2018

C O R A M
THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.25045 of 2018

P.Elango,
S/o.Ponnusamy,
Morumbu Kaatu,
Sivadharpuram,
Salem City.

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Central Crime Branch
Salem District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to transfer the case in Crime No.19 of 2018 on the file of Respondent from the Special Court for Land Grabbing Cases, Salem to the Judicial Magistrate-IV, Salem which is competent to try the case.

For Petitioner : Mr.C.K.M.AppaJI

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking to transfer the case in Crime No.19 of 2018, pending on the file of the respondent police.

2. The learned counsel for the petitioner would submit that in view of the pendency of the SLP before the Hon'ble Supreme Court, even if the respondent police complete the investigation and file a final report, the Special Court for Land Grabbing Cases cannot take cognizance of the final report. Therefore, the learned counsel would submit that the respondent must be directed to file a final report before the concerned jurisdiction Magistrate Court so that the concerned Court will have the jurisdiction to take cognizance of the final report.

3. The learned Additional Public Prosecutor would submit that the F.I.R was registered in this case on 17.08.2018 for alleged offence under Sections 419, 465, 468 471 and 506(i) I.P.C. The learned Additional Public Prosecutor submitted that the case is still pending investigation. The learned counsel submitted that if a direction is given by this Court, after the

completion of the investigation, the final report will be submitted before the Judicial Magistrate Court, Salem.

4. In the facts and circumstances of the case, there shall be a direction to the respondent police to complete the investigation as expeditiously as possible and file a final report before the Judicial Magistrate-IV, Salem.

5. Accordingly, the Criminal Original Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bsm

To

- 1.The Judge,
The Special Court(Land Grabbing Cases),
Salem.
- 2.The Judicial Magistrate-IV,
Salem.
- 3.-do- thro The Chief Judicial Magistrate,
Salem.
- 4.The Inspector of Police,
Central Crime Branch,
Salem District.

Copy To:

The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.K.M.Appaji, Advocate, S.R.No.76557

WEB COPY

Crl.O.P No.25045 of 2018

VGI (CO)

rrs 06/12/2018