

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.OP.No.25425 of 2018

Valeeswaran

...Petitioner

Vs.

The Inspector of Police,
District Crime Branch (ALGSC),
Salem, Salem District.
(Cr.No.38 of 2014)

....Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, directing to the Learned Judicial Magistrate-II, Sankari, Salem District numbering the same in so far relates to Cr.No. 38 of 2014 and transferring the said case to Learned Judicial Magistrate-VI, Salem, Salem District.

For Petitioner : M/s. R. Hemalatha

For Respondent : Mr. M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed for a direction to transfer the final report to the file of the learned Judicial Magistrate - VI, Salem.

2. The learned counsel for the petitioner would submit that based on the complaint given by the petitioner, an FIR came to be registered by the respondent police in Cr.No.38 of 2014 for the offences under Sections 447, 448, 465, 420 & 506 (i) IPC. Thereafter since there was no progress in the investigation, the petitioner approached this Court by filing Crl.O.P.No.6419 of 2018 seeking for direction to the respondent police to file a final report. This Court directed the respondent police to file the final report within a period of four weeks. Thereafter, the respondent police proceeded to file the final report

before the learned Judicial Magistrate No. II, Sankari. This was not numbered and it was kept pending.

3. In the mean time, the Chief Judicial Magistrate, Salem, took all the cases investigated by the District Crime Branch and transferred the same to the file of the learned Judicial Magistrate No.VI, Salem.

4. According to the learned counsel for the petitioner, since the present case was also investigated by the District Crime Branch, the final report must be sent to the file of the learned Judicial Magistrate No.VI, Salem.

5. It is seen from the records that this case is pending from the year 2014 onwards. Every time, the petitioner has been approaching this Court and only on directions given by this Court, there is progress in this case. Now, the final report has already been filed by the respondent police and the same is pending before the learned Judicial Magistrate No.II, Sankari.

6. There shall be a direction to the respondent police to seek for a return of the final report from the learned Judicial Magistrate No.II, Sankari and file the same before the learned Judicial Magistrate No.VI, Salem, since the learned Judicial Magistrate No.VI, Salem has been assigned with the cases investigated by the District Crime Branch, this case can also be sent to the file of the same Court. The learned Judicial Magistrate No.VI, Salem, on receipt of the final report filed by the respondent police shall proceed with the same immediately strictly in accordance with law.

7. The Criminal Original Petition is disposed of with the above directions.

Sd/-

Assistant Registrar(Ccc)

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Sub Assistant Registrar

dh/raja

To

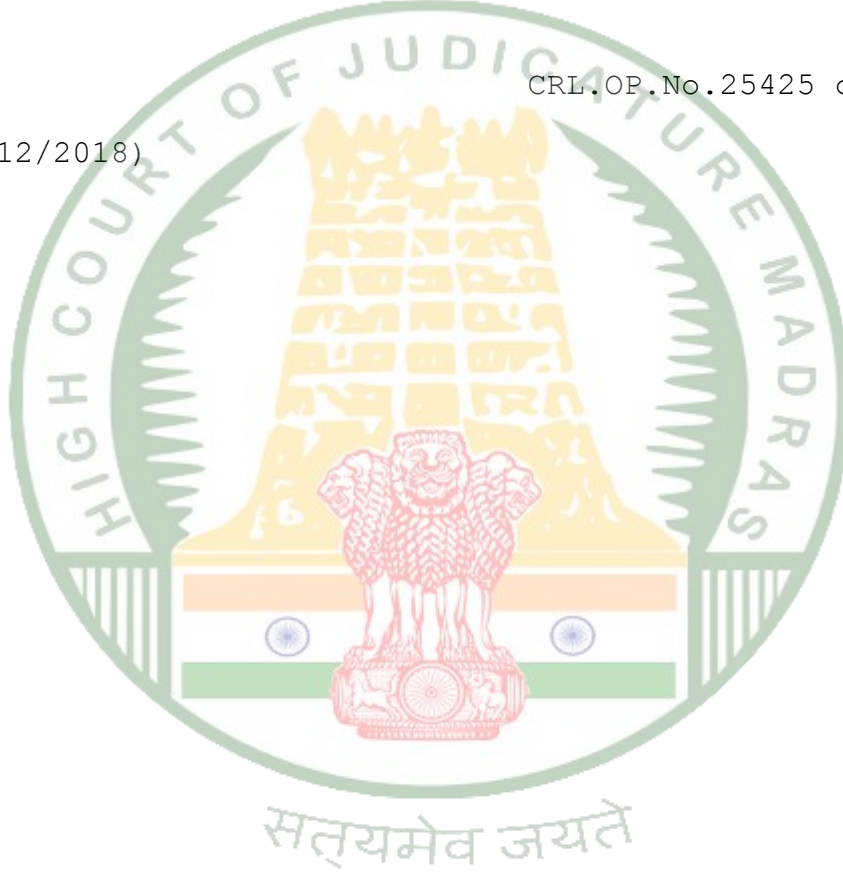
1. The Judicial Magistrate-II,
Sankari, Salem District.

2. The Judicial Magistrate-VI,
Salem.
3. The Inspector of Police,
District Crime Branch (ALGSC),
Salem, Salem District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Prakasam , Advocate SR.No. 78113

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ASK(06/12/2018)



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