

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.11.2018
CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
CRL.O.P.No.26535 of 2018

Venkatesan

...Petitioner

Vs.

1. State Rep.
Sub Inspector of Police, CCB Team - XVIII,
Egmore, Chennai - 600 008.

2. Ramu

3. Harikrishnan

4. A.K.Venkateswaralu

...Respondents

PRAYER: Criminal Original petition is filed under Section 407 of Criminal Procedure Code, to withdraw and transfer the C.C.No.42 of 2013 (old C.C.No.5124 of 2010), from the file of the Land Grabbing Court - II, Periamet, Chennai to the file of the learned III Metropolitan Magistrate, George Town, Chennai.

For Petitioners : Mr.R.Krishnan

For Respondent : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for transfer of C.C.No.42 of 2013 pending on the file of the Land Grabbing Court - II, Periamet, Chennai.

2. It is seen from the records that the respondent Police have filed a final report for the offences under Sections 420, 465, 467, 468 r/w 471 of IPC. The petitioner is the defacto complainant. The final report was taken on file by the Special Court. However, the Special Court was not able to proceed further with the proceedings. The Constitution of the Special Court is under challenge and the same is pending before the Honourable Apex Court. Therefore, there is absolutely no progress in this case. This petition has been filed by the defacto complainant seeking to transfer the case to the regular jurisdictional Magistrate Court.

3. In this case, the complaint was given in the year 2009 and the final report was filed in the year 2010. The case

has been pending without any progress for the last 8 years. Therefore, this Court deems it fit to transfer the case to the concerned jurisdictional Magistrate Court, so that, there will be some progress in the case. Accordingly, the case in C.C.No. 42 of 2013, pending on the file of the Land Grabbing Court-II, Chennai is hereby withdrawn and transfer to the file of the learned III Metropolitan Magistrate, George Town, Chennai. The Land Grabbing Court, is directed to immediately send the entire case records to the learned III Metropolitan Magistrate Court, George Town, Chennai and the learned III Metropolitan Magistrate, George Town, Chennai, is directed to proceed further in this case, as expeditiously as possible and complete the same within a reasonable time.

4. In the result, this Criminal Original Petition is disposed of in the above direction.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kal/sbn

To

- 1.The III Metropolitan Magistrate Court,
George Town, Chennai.
- 2.-Do- Thro The Chief Metropolitan Magistrate,
Egmore, Chennai.
- 3.The Presiding Officer,
The Land Grabbing Court-II,
Periamet, Chennai.
- 4.The Inspector of Police,
CCB Team - XVIII,
Egmore, Chennai - 600 008.
- 5.The Public Prosecutor,
Madras High Court, Chennai.

+1cc to Mr.R.Krishnan, Advocate, S.R.No.78547

CRL.O.P.No.26535 of 2018

SV(CO)

rrs 07/12/2018