

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1830 of 2019

N.M.Shivan

...Petitioner

Vs.

State by:

The Inspector of Police,
District Crime Branch,
Namakkal,
Namakkal District.
(Crime No.23 of 2011)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to call for the entire records pertaining to the Crime No.23 of 2011 and file the same before the learned Chief Judicial Magistrate or Jurisdictional Magistrate, Namakkal and conduct the trial in accordance with law within a stipulated time.

For Petitioner : Mr.M.Saravana Kumar

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondent police to call for the entire records in Crime No.23 of 2011 and file the same before the learned Chief Judicial Magistrate or Jurisdictional Magistrate, Namakkal.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

3. It is seen from the records that the F.I.R. was registered in Crime No.23 of 2011, pursuant to the complaint given by the petitioner against three accused persons. After investigation, the final report has been filed before the Anti Land Grabbing Court, Namakkal as against five accused persons on 28.11.2018. The concerned Court is not in a position to take

cognizance of the final report in view of the case pending before the Hon'ble Supreme Court.

4.The learned counsel for the petitioner submitted that the concerned Jurisdictional Magistrate Court is Judicial Magistrate No.I, Namakkal and the case may be transferred to the said Court.

5. This Criminal Original petition is disposed of with a direction to the Anti Land Grabbing Court, Namakkal to immediately transfer the entire case records in Crime No.23 of 2011 to the Judicial Magistrate No.I, Namakkal. The Judicial Magistrate No.I, Namakkal immediately on receipt of the case records shall proceed further with the case in accordance with law and complete the case as expeditiously as possible.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vsa/msrm

To

1.The Judicial Magistrate No.I,
Namakkal.

2.The Inspector of Police,
District Crime Branch,
Namakkal,
Namakkal District.

3.The Anti Land Grabbing Court,
Namakkal.

4.The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to M/S.M.Saravanakumar, Advocate Sr.5452

Cr1.O.P.No.1830 of 2019

rk[co]
srg 15/02/2019