

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM:

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3191 of 2019

S.S.Kirubakaran

...Petitioner/De-facto Complainant

Vs

The State,
Rep. By The Inspector of Police,
CCB Team XV,
Egmore, Chennai

...Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to withdraw the case (unnumbered CC.No. Of 2018) pending on the file of the Hon'ble Special Metropolitan Magistrate-I (Land Grabbing Cases) at Periamedu, Chennai and transfer the same to the file of the Hon'ble Metropolitan Magistrate (CCB and CBCID Case) Court, Egmore, Chennai or any other competent Court by fixing a time frame in the above Crl.O.P.

For Petitioner : Mr.J.Kingsly Solomon

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

सत्यमेव जयते
O R D E R

This petition has been filed to withdraw the case (unnumbered CC.No. Of 2018) pending on the file of the Hon'ble Special Metropolitan Magistrate-I (Land Grabbing Cases) at Periamedu, Chennai and transfer the same to the file of the Hon'ble Metropolitan Magistrate (CCB and CBCID Case) Court, Egmore, Chennai or any other competent Court by fixing a time frame in the above Crl.O.P.

2. It is seen that the respondent completed investigation and filed final report on 20.07.2018 in Crime No.338 of 2012 before the learned Special Metropolitan Magistrate-I (Land Grabbing Cases) at Periamedu, Chennai. Now the petitioner seeks

transfer of the charge sheet to the regular jurisdiction Magistrate Court to proceed further in the trial.

3. Considering that already the constitution of the Special Court for Land Grabbing Cases is challenged and it is pending, this Court deem fit to allow the prayer as such the petitioner is permitted to withdraw the charge sheet dated 20.07.2018 pending before the learned Special Metropolitan Magistrate-I (Land Grabbing Cases) at Perimedu, Chennai and transfer the same to the file of the learned Metropolitan Magistrate (CCB and CBCID Case) Court, Egmore, Chennai in Crime No.338 of 2012 registered for the offences under Sections 420, 464, 465, 468, 471 & 506 (ii) r/w 120(6) I.P.C.

4. This Criminal Original Petition is allowed with above observations.

lok

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
CCB Team XV,
Egmore, Chennai

2. The Special Metropolitan Magistrate,
Land Grabbing Cases,
Perimedu,
Chennai.

3. The Metropolitan Magistrate,
CCB CBCID CASES,
Egmore, Chennai.

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

+1CC to M/s.Kingsly Solomn, Advocate, SR.NO.10700/19

Cr1.O.P.No.3191 of 2019

SB(CO)
KAK(01/03/2019)