

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2019

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5787 of 2019

S.Murugesan

... Petitioner

Vs.

The State,
rep. by Inspector of Police,
DCB/Anti Land Grabbing Special Cell,
Salem District.
(Crime No.31 of 2011)

... Respondent

Prayer:

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent Police to transfer the First Information Report in Crime No.31 of 2011 to the file of the Judicial Magistrate No.6, Salem within a specified period.

For Petitioner : Mr.A.Nagarathinam

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

ORDER

This petition has been filed seeking direction to the respondent police to transfer the First Information Report in Crime No.31 of 2011 to the file of the Judicial Magistrate No.6, Salem.

2.The petitioner is the defacto complainant. Based on the complaint given by the petitioner with regard to land grabbing, the respondent police registered an FIR in Crime No.31 of 2011 for the offences under Section 386, 467, 471, 420 of IPC r/w 120 (b) and Section 3 of TNPPD Act.

3.The learned Additional Public Prosecutor submitted that the investigation is still pending. He further brought to the notice of this Court that the Chief Judicial Magistrate, Salem by his proceedings dated 02.08.2018 had transferred the

jurisdiction relating to all the criminal cases and the first information reports (land grabbing matters) investigated by the District Crime Branch, Salem to the Judicial Magistrate Court No.VI, Salem. Hence, he seeks to transfer this case also to the Judicial Magistrate Court No.VI, Salem.

4.Heard both sides.

5.It is seen that the investigation is still pending. Therefore, the respondent Police is directed to complete the investigation and file a final report before the learned Judicial Magistrate No.6, Salem within a period of three months from the date of receipt of copy of this order. On receipt of the same, the Judicial Magistrate No.6, Salem, is directed to take up the case and proceed further.

6.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate No.6, Salem.
2. Do Thro' The Chief Judicial Magistrate, Salem.
3. The Inspector of Police,
DCB/Anti Land Grabbing Special Cell,
Salem District. (Crime No.31 of 2011)
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Nagarathinam, Advocate, S.R.No.33860

Cr1.O.P.No.5787 of 2019

CS/14/06/2019