

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9151 of 2019

and M.P.No.4844 & 4845 of 2019

V.Balakumar ... Petitioner/1st Accused

Vs.

1. The State Rep. by its,
The Inspector of Police,
Central Crime Branch,
Office of the Commissioner of Police,
Chennai-600 007.
(Crime No.877 of 2003)

2. M/s.Coromandel Travels . Respondents/Complainant
(A.DIVISION OF M/S.INDIA
CEMENTS CAPITAL & FINANCE LTD.,)
REP BY ITS CHIEF EXECUTIVE
MR.STANLEY VARGHESS, SATUS QUO 4TH FLOOR
NO.38, STERLING ROAD, CHENNAI 34.

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the charge sheet in C.C.No.8003 of 2007 on the file of the Metropolitan Magistrate CCB & CBCID, Cases Court, (exclusive trial for Metro Cases) Egmore, Chennai and quash the same in so far as it relates to the Petitioner/1st Accused is concerned

For Petitioner : Mr.R.Ravindran

For Respondents

For R1 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

For R2 : No appearance

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.8003 of 2007 on the file of the Metropolitan Magistrate CCB & CBCID, Cases Court, (exclusive trial for Metro Cases) Egmore, Chennai, having been taken cognizance for the offences punishable under Sections 406, 408, 477 A, 467 r/w 34 of IPC.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is an innocent person and they have not committed any offence as alleged by the prosecution. Without any base, the first respondent police registered a case in Crime No.877 of 2003 for the offences under Sections 406, 408, 477 A, 467 r/w 34 of IPC, as against the petitioner and filed charge sheet in C.C.No.8003 of 2007 before the Chief Metropolitan Magistrate Court, Egmore, Chennai, and since a special Court was constituted by the Government to deal with the cases pertaining to Central Crime Branch and CB-CID, the case was transferred to Metropolitan Magistrate CCB & CBCID. Hence he prayed to quash the same.

3. Heard Mr.R.Ravindran, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the first respondent.

4. This petition has been filed to quash the proceedings in C.C.NO.8003 of 2007 on the ground of long pendency from the year 2007. It is also seen that this Court by an order dated 19.12.2017 in Crl.O.P.No.28241 of 2017 has already directed the trial Court to expedite the trial and dispose the same within a period of six months from the date of the copy of the order. It is seen from the 'A' diary extract, that the trial is pending for the reason that the case in C.C.No.8003 of 2007 has been transferred from the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai, to the file of the learned Metropolitan Magistrate, CCB & CBCID Court, (exclusive trial for Metro Cases) Egmore, Chennai.

5. Considering the facts and circumstances of the case, the Chief Metropolitan Magistrate, Egmore, Chennai, is directed to send the entire bundle forthwith pertaining to the C.C.No.8003 of 2007 to the Metropolitan Magistrate CCB & CBCID. On receipt of the same, the Metropolitan Magistrate CCB & CBCID, Cases Court, (exclusive trial for Metro Cases) Egmore, Chennai is directed to complete the trial proceedings within a period of three months from the date of receipt of the entire bundle.

6. With the above directions, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition are also closed.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

rri

To

1. The Inspector of Police,
Central Crime Branch,
Office of the Commissioner of Police,
Chennai-600 007.
(Crime No.877 of 2003)
 - 2.The learned Metropolitan Magistrate CCB & CBCID,
Egmore, Chennai.
 - 3.The learned Chief Metropolitan Magistrate Court,
Egmore, Chennai,
 4. The Public Prosecutor,
High Court, Chennai.
- + 1 cc to Mr.R.Ravindran, Advocate Sr.No.36993

CrI.O.P.No.9151 of 2019
and M.P.No.4844 & 4845 of 2019

RJI (CO)
RRI 31/05/2019

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