

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Crl.OP No.21510 of 2017

and

Crl.M.P.Nos. 12651 of 2017 & 14236 of 2019

1.A.G.Subbulakshmi

2.A.G.Gopalan

.. Petitioners

Vs.

1. The Sub Inspector of Police,
District Crime Branch,
Kancheepuram District,
Kancheepuram.
(Crime No.12 of 2014)

2. Sowndarrajan

.. Respondents

PRAYER:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records on the file of the learned Principal Sessions Judge, Chengalpet, Kancheepuram District made in Tr.C.M.P.No.1010 of 2017 dated 06.09.2017 concerned in C.C.No.334 of 2014 on the file of the learned Judicial Magistrate No. II, Chengalpet, Kancheepuram District and set aside the same for the purpose of a fair trial, equity and natural justice.

For Petitioners : Mr.Anantha Narayanan
Senior Counsel for Mr.S.Sasikumar

For Respondents : Mr.C.Iyyapparaj for R1
Additional Public Prosecutor
No appearance for R2

O R D E R

This Criminal Original Petition is filed to call for the records on the file of the learned Principal Sessions Judge, Chengalpet, Kancheepuram District made in Tr.C.M.P.No.1010 of 2017 dated 06.09.2017 concerned in C.C.No.334 of 2014 on the file of the learned Judicial Magistrate No. II, Chengalpet, Kancheepuram District and set aside the same.

2. The finding of the learned Principal Sessions Judge, Chengalpet that trying of the cases by two different Forums would result in miscarriage of justice, cannot be found fault with. The basic facts pertaining to both the cases arise out of the same property. While that being so, trying of both the cases by a Single Forum would only enable the court for a proper appreciation of both the cases.

3. I do not find any impediment or infirmity in the impugned order to transfer. Hence, the Criminal Original Petition stands closed. Consequently, connected Miscellaneous Petitions are also closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

vkr

To

1. The Sub Inspector of Police,
District Crime Branch,
Kancheepuram District,
Kancheepuram.
2. The Principal Sessions Court,
Chengalpet, Kancheepuram District.
3. The Judicial Magistrate No. II,
Chengalpet, Kancheepuram District.
4. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr. Senthil Kumar, Advocate sr 91617

+1 CC to Mr. Kannan, Advocate sr 91455

+2 CC to Mr. Kannan, Advocate sr 91455(20/01/2020)

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MG(CO)

SP(06/12/2019)