

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
CORAM

DATED 14.10.2019

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.25209 of 2019

Rajesh Ojha

.. Petitioner

Vs

Union of India,  
represented by Inspector of Police  
Central Bureau of Investigation  
Anti Corruption Bureau, Chennai.

..Respondent

Prayer: Criminal Original Petition filed under Section 407 of Cr.P.C., to transfer the appeal No.48 of 2010 from the file of VII Additional Sessions Judge Chennai to the file of II Additional Sessions Judge, Chennai for delivering the judgment .

For Petitioner : Mr. Swamisubraanian

For Respondent: Mr.K. Srinivasan  
Spl. Public Prosecutor, CBI Cases

ORDER

This Criminal Original Petition is filed by A1 in C.C.No.2360 of 2001 on the file of Additional Chief Metropolitan Magistrate, Egmore seeking transfer of Criminal Appeal No.48 of 2010 pending on the file of VII Additional Sessions Judge, Chennai to the file of II Additional Sessions Judge, Chennai in C.C.No.2360 of 2001.

2. In C.C.No.2360 of 2001, totally there are two accused, out of which, A1 has preferred Crl.A.No.48 of 2010 before the VII Additional Sessions Judge, Chennai and A2-Balakrishnan had filed Crl.A.No.73 of 2010 before the VII Addl. Sessions Judge, Chennai.

3. A2 has preferred Crl.O.P.No.19180 of 2019 before this Court to transfer Crl.A.No.73 of 2010 from the file of VII Addl. Sessions Judge, Chennai to the file of the learned II Additional Sessions Judge, Chennai, wherein, this Court, by its order dated 6.8.2019, had transferred the entire case bundle in Crl.A.No.73 of 2010 from VII Additional Sessions Judge to the file of II Additional Sessions Judge, Chennai. Hence the petitioner co-accused seeks transfer of Crl.A.No.48 of 2010 from the file of

VII Additional Sessions Judge to the file of II Additional Sessions Judge, Chennai.

4. It is seen that both Crl.A.No.73 and 48 of 2010 arise out of common judgment in C.C.No.2360 of 2001. In view of the same, it would be appropriate that both the appeals to be heard by the same Judge in order to avoid contradictory views and judgments.

5. In view of the same, Crl.A.No.48 of 2010 pending on the file of VII Additional Sessions Judge, Chennai is transferred to the file of II Additional Sessions Judge, Chennai to be heard along with Crl.A.No.73 of 2010.

msr

Sd/-  
Assistant Registrar(CJ Conf.)

//True Copy//

Sub Assistant Registrar

To

1. The II Additional Sessions Judge,  
Chennai.
2. The VII Addl.Sessions Judge, Chennai.
3. - Do Thro The Principal Sessions Judge,  
Chennai.
4. The Inspector of Police,  
Central Bureau of INvestigation,  
Anti Corruption Bureau,  
Chennai.
5. The Special Public Prosecutor,  
High Court, Madras.

+lcc to Mr.Swamisubramanian, Advocate, SR.No.85957

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Kak(08/11/2019)