

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.26685 of 2018

C.Savithri

... Petitioner

Vs.

1.Inspector of Police
Central Crime Branch XVI Wing
Commissioner Office
Chennai 600 007

2.Krishnamurthy

3.Suryaprakash
Village Administrative Officer
Ambattur Taluk Office
Ambattur

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to transfer the case in Crime No.63 of 2009 on the file of the respondent from the Special Court for Land Grabbing Cases No.1, Chennai to CCB and CBCID, Metropolitan Magistrate, Egmore, Chennai, who is having the competent jurisdiction to try the matter.

For Petitioner : Mr.S.Sathish Kumar

For Respondents: Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

ORDER

The Criminal Original Petition has been filed by the petitioner to transfer the case in Crime No.63 of 2009 on the file of the respondent from the Special Court for Land Grabbing Cases No.1, Chennai to CCB and CBCID, Metropolitan Magistrate, Egmore, Chennai, who is having the competent jurisdiction to try the matter.

2.The learned counsel for the petitioner would submit that the respondent filed the final report before the Special Court

for Land Grabbing No.1, Chennai on 11.12.2014 after filing so many Crl.O.Ps. before this court for the same. It is further submitted that the Special court non-functional the final report filed by the respondent is lying dormant in the Court for the past three years and as such, the petitioner is not in a position to ventilate his grievance before the Court of Law for such a long time. In these circumstances, if the case is not transferred to CCB & CBCID, Metropolitan Magistrate, Egmore, Chennai the jurisdictional court of respondent, the petitioner will be put into irreparable loss and hardship. No prejudice would be caused to the respondent if the case is transferred. Hence, this petition.

3.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor.

4.Considering the facts and circumstances of the case, this court is inclined to allow this petition.

5.Accordingly, this Criminal Original Petition is allowed. The FIR in Crime No.63 of 2009 is hereby withdrawn from the file of the Special Court for Land Grabbing Cases No.1, Chennai and the same is transferred to CCB & CBCID, Metropolitan Magistrate, Egmore, Chennai.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Judge, Special Court for Land Grabbing Cases No.I,
Chennai.

2.The CCB and CBCID, Metropolitan Magistrate, Egmore, Chennai

3.The Inspector of Police ,
Central Crime Branch XVI Wing,
Commissioner Office,Chennai 600 007

4.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.S.Sathish Kumar, Advocate, Sr.No. 39676

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CSL/28.05.2019