

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 2291 of 2020

Lal Mohammed,
S/o. Amit,
Badhurpur Village,
Kaliyasark Police Station,
Malda District,
West Bengal.

...Petitioner/Accused

Vs.

State, rep. by Inspector of Police,
CBCID,
CC Wing,
Guindy, Chennai - 32.

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to withdraw S.C. No.239 of 2009, on the file of Sub Court, Tambaram and transfer to the XIX Addl. Session Judge, Chennai.

For Petitioner : Mr. Samanta and Ston

For Respondent : Mr. S.Karthikeyan
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed to withdraw S.C. No.239 of 2009, on the file of Sub Court, Tambaram and transfer to the XIX Addl. Session Judge, Chennai.

2. It is seen that the petitioner is an accused who involved in four cases viz. Crime No.9 of 2009 pending on the file of Sub Court, Tambaram in S.C. No. 239 of 2009, Crime No.1 of 2011 pending on the file of XIX Additional Session Judge, Chennai, in S.C. No.223 of 2019 and Crime No.1 of 2012 pending on the file of XVIII Additional Session Judge, Chennai, in S.C. No.338 and 339 of 2019. In respect of Crime. No.1 of 2011, the respondent had filed final report and the same has been taken cognizance in S.C. No.223 of 2019 and it is pending for trial on the file of XIX Additional Sessions Judge, Chennai. In fact, the petitioner is also confined in Central Prison, Puzhal and

therefore, it is very difficult for him to travel from one Court to another Court.

3. Considering the facts and circumstances of the case and also the respondent is one and the same in all the above cases, this Court is inclined to transfer the case from the file of Sub Court, Tamabaram.

4. Accordingly, the case in S.C. No.239 of 2009 is hereby withdrawn from the file of Sub Court, Tambaram and the same is transferred to the file of XIX Additional Sessions Court, Chennai. The learned XIX Additional Sessions Judge, Chennai is directed to conduct simultaneous trial in S.C. No.239 of 2009 and also in S.C. No.223 of 2019 and complete the trial within a period of six months from the date of receipt of entire bundle, in both the cases.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The XIX Additional Sessions Court, Chennai

2.The Inspector of Police,
CC wing, Guindy, Chennai - 32.

3.The Public Prosecutor,
High Court, Madras.

4.The Sub Court, Tambaram

5.The XVIII, Additional Sessions Judge,
Chennai

+1 cc to M/s.Samanta and Ston Advocate Sr.No. 25067

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rv(25/9/2020)