

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.2389 of 2020

1.K.Ramachandra Kurup
2.K.S.Sethu Madhavan
3.S.P.Subramaniam
4.S.N.R.Balasubramaniam
5.V.Srinivasamurthy
6.M.R.Srinivasan ... Petitioners/ Accused No.1,2,4,5,7& 8

Vs.

1.The Inspector of Police,
Central Crime Branch No.1,
Chennai Outer,
St. Thomas Mount, Chennai 600 016.
2.The Inspector of Police,
Central Crime Branch - II,
Ground No.23,
Land Grabbing Prevention Division - II,
Vepery, Chennai - 600 007. ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents to transfer C.C. No.1215 of 2017 on the file of the Judicial Magistrate Court at Alandur to the Additional Chief Metropolitan Magistrate Court (CCB cases) at Chennai or to any other Court of competent jurisdiction within the jurisdiction limits of Chennai District.

For Petitioners : Mr. T.T.Ravichandran
For Respondents : Mr. S.Karthikeyan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to transfer C.C. No.1215 of 2017 on the file of the Judicial Magistrate Court at Alandur to the Additional Chief Metropolitan Magistrate Court (CCB cases) at Chennai or to any other Court of competent jurisdiction within the jurisdiction limits of Chennai District.

2. Learned counsel for the petitioner would submit that the petitioners are arrayed as A1, A2, A4, A5, A7 and A8 in C.C. No.1215 of 2017 on the file of the Judicial Magistrate Court, Alandur. The only ground raised by the learned counsel for the petitioners is that all the petitioners are aged about more than seventy five years old. In fact, the second petitioner is aged about 98 years. Therefore, the petitioners could not able to appear before the Trial Court for trial. Hence, he seeks for transfer of the case.

3. Learned Additional Public Prosecutor would submit that due to bifurcation of Kancheepuram District, already, C.C. No.1215 of 2017 has been transferred from the file of Judicial Magistrate Court, Alandur to the file of the Judicial Magistrate I, Kancheepuram and it is pending for renumbering and for trial.

4. Considering the above submission, this Court is of the opinion that the transfer of case in C.C. No.1215 of 2017 would affect the entire trial. However, considering the age of the petitioners, the personal appearance of the petitioners are dispensed with before the trial Court namely Judicial Magistrate I, Kancheepuram. The trial Court is directed to complete the trial within a period of twelve months from the date of renumbering the case.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bkn

To

1.The Inspector of Police,
Central Crime Branch No.1,
Chennai Outer,
St. Thomas Mount, Chennai 600 016.

2.The Inspector of Police,
Central Crime Branch - II,
Ground No.23,
Land Grabbing Prevention Division - II,
Vepery, Chennai - 600 007.

3.The Public Prosecutor,
High Court, Madras.

4.The Judicial Magistrate No-I,
Kancheepuram.

Crl.O.P.No.2389 of 2020

MR(CO)
RMP(09/10/2020)



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