



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 16.03.2020
CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.6028 of 2020
and
Crl.M.P.No.3386 of 2020

Gokula Kannan

... Petitioner

Vs.

State rep. By
The Inspector of Police,
Anti Trafficking Cell,
Crime Branch C.I.D.,
Chennai - 600 032.

... Respondent

PRAYER: Criminal Original Petition filed under Section 407 of Cr.P.C. praying to transfer the case in C.C.No.185 of 2013 on the file of the Judicial Magistrate Court No.1, Chengalpet to the Metropolitan Magistrate Court, Egmore, Chennai - 600 008.

For Petitioner : M/s. D.Veerasekharan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

O R D E R

This petition has been filed seeking a direction to transfer the case in C.C.No.185 of 2013 on the file of the Judicial Magistrate Court No.1, Chengalpet to the Metropolitan Magistrate Court, Egmore, Chennai - 600 008.

2. Heard Mr.D.Veerasekharan, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondent.

3. The learned counsel for the petitioner has submitted that all the prosecution witnesses are from the Airport Authority of India and Alandur Court is very nearer for all the witnesses. Further now the entire cases pending before the Judicial Magistrate No.1, Chengalpet have been transferred from the Judicial Magistrate, Alandur. Hence, this petition.

4. The learned Additional Public Prosecutor has submitted that already P.W1 was examined and posted the matter for cross



examination of PW1. At the time of cross examination, the petitioner sought time to cross examine since he already filed transfer petition before this Court and after transferring the case in C.C.No.185 of 2013, he will cross examine. The case is pending from the year 2013 and also this Court finds no ground to transfer the case from learned Judicial Magistrate No.1, Chengalpet to any other Court since the petitioner did not make out any ground to transfer. Further the learned Judicial Magistrate No.1, Chengalpet, is meant for CBCID cases and as such it cannot be transferred to any other court.

5. Therefore, this Court is not inclined to allot this petition. However, considering the above facts and circumstances of the case, the trial Court is directed to complete the trial within a period of three months from the date of receipt of a copy of this order. The petitioner is directed to cooperate for the trial.

6. With the above directions, this Criminal Original Petition is dismissed. Consequently, the connected Criminal Miscellaneous Petition is closed.

s/d-
Assistant Registrar(CO)

True Copy
Sub-Assistant Registrar

ebsi
To

1. The Inspector of Police,
Anti Trafficking Cell,
Crime Branch C.I.D.,
Chennai - 600 032.
- 2.The Judicial Magistrate Court No.1
Chengalpattu
- 3.The Chief Judicial Magistrate Chengalpattu
- 4 The Chief Metropolitan Magistrate Egmore Chennai
5. The Public Prosecutor,
High Court, Madras.



+1 cc to Mr.D.Veerasekaran Advocate sr23309

Cr1.O.P.No.6028 of 2020

WEB COPY

aa13/07/2020