

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2020

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THE HONOURABLE MR. JUSTICE T. RAVINDRAN

CrI.O.P.No. 16569 of 2020

R.S. Sivaprakasam
S/o. Swaminathan

... Petitioner

Vs.

State by
The Inspector of Police
Central Crime Branch
Team-XVII, Vepery
Chennai 600 007
(Crime No.351/2013)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., praying to issue directions, directing to transfer the cases in Crime No.351 of 2013 on the file of respondent from the Special Court for Land Grabbing Cases No.II, Chennai to the court of CCB and CBCID, Metropolitan Magistrate, Egmore, Chennai.

For Petitioner : Ms. R. Hemalatha

For Respondent : Ms. Prabhavathi

Additional Public Prosecutor.

O R D E R

The Criminal Original Petition has been preferred by the petitioner seeking for a direction to transfer the case in Crime No.351/2013 on the file of the respondent from the Special Court for Land Grabbing Cases No.II, Chennai, to the court of CCB and CBCID, Metropolitan Magistrate, Egmore, Chennai.

2. Based on the complaint given by the petitioner, the case had been registered in Crime No.351/2013 for the offences punishable under Sections 465, 467, 468, 471, 420 r/w 120(b) IPC by the respondent police. Now according to the petitioner, the respondent has completed the investigation and filed the final report before the Special Court for Land Grabbing Cases No.II, Chennai and inasmuch as the same is kept pending due to the pendency of the case before the Hon'ble Apex Court, seeking for the transfer of the case to the court of CCB and CBCID, Metropolitan Magistrate, Egmore, Chennai, the present Criminal

Original Petition has been laid by the petitioner.

3. During the course of hearing, it is represented by the petitioner counsel as well as the Additional Public Prosecutor that this Court has passed similar orders dated 05.08.2019 and 27.08.2019 in Crl.O.P. No.20889/2019. On a reading of the orders passed in the abovesaid Criminal Original Petition, it is found that this Court, in the exercise of its jurisdiction under Section 482 and 483 Cr.PC, had directed the Special Court for exclusive trial of Land Grabbing Cases I & II, Allikulam, Chennai to return back the final reports filed before the Special Court by the Central Crime Branch, Chennai, i.e., the respondent herein, to enable the Central Crime Branch, Chennai to file the final reports before the concerned Jurisdictional Court and further directed that the abovesaid exercise should be completed within a particular time frame and also further gave directions to the Jurisdictional Court to take further action in accordance with law and conclude the case as expeditiously as possible.

4. Considering the abovesaid orders passed by this Court in Crl.OP No.20889/2019, when there is already a direction given by this Court to the Special Court for exclusive trial of Land Grabbing cases I & II, Allikulam, Chennai to return back the final reports filed by the respondent police for enabling them to file the same before the Jurisdictional Court, in such view of the matter, the Special Court for Land Grabbing Cases No.II, Chennai, is directed to adhere to the abovesaid direction and accordingly return the final report filed by the respondent police in Crime No.351/2013 within two weeks from the date of receipt of a copy of this order to enable the respondent police to file the said final report before the concerned Jurisdictional Court, namely, CCB and CBCID, Metropolitan Magistrate, Egmore, Chennai, for concluding the case expeditiously as per law.

5. Accordingly, the Criminal Original Petition is disposed of.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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

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

3. The Inspector of Police
Central Crime Branch
Team-XVII, Vepery
Chennai 600 007
(Crime No.351/2013)

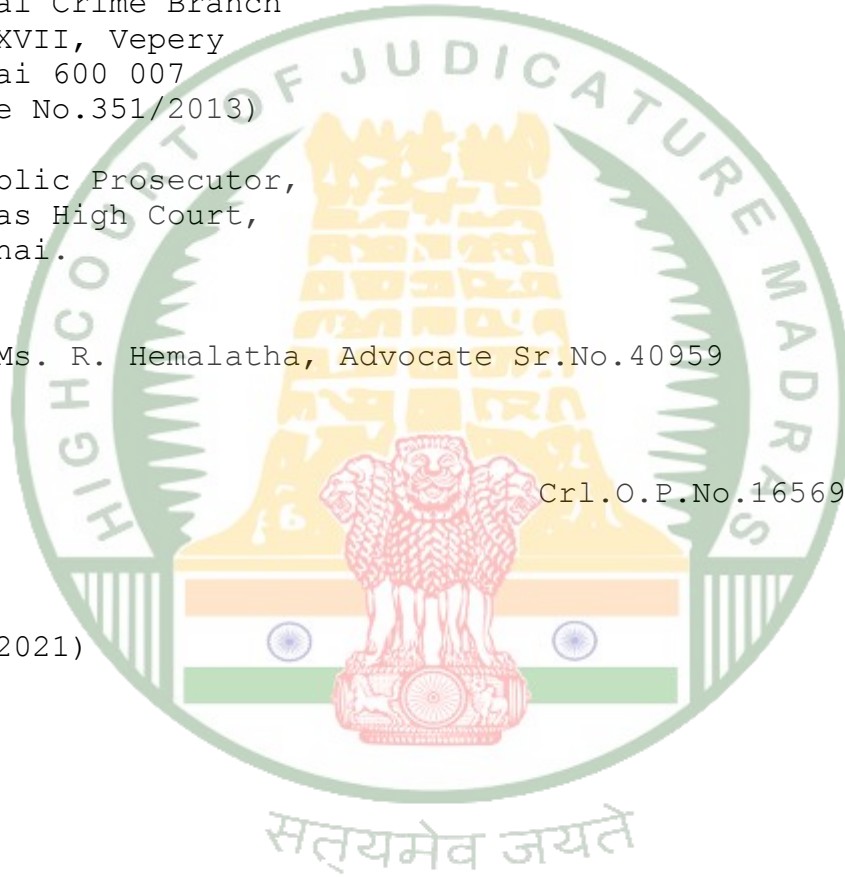
4. The Public Prosecutor,
Madras High Court,
Chennai.

+1 CC to Ms. R. Hemalatha, Advocate Sr.No.40959

Crl.O.P.No.16569 of 2020

GP (CO)

KP (20/01/2021)



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