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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2021

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

CRL.O.P.No.12500 of 2021

M.S.Ilamurughu

...Petitioner

Versus

1.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.

2.The Inspector of Police,
Anti Land Grabbing Cell,
Central Crime Branch,
Vepery, Chennai - 600 007.

3.The Sub-Inspector of Police,
Anti Land Grabbing Cell,
Central Crime Branch,
Vepery, Chennai - 600 007.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents particularly the 3rd respondent to withdraw the charge sheet filed in Crime No.390 of 2015 before the Special Metropolitan Magistrate-II (Land Grabbing Cases) Chennai and to file before the Metropolitan Magistrate, CCB and CBCID Cases, Egmore, Chennai within a time frame.

For Petitioner : Mr.K.V.Muthu Visakan

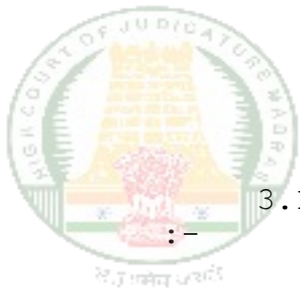
For Respondent : Mr.A.Damodaran

Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to transfer the charge sheet in Crime No.390 of 2015 on the file of the Special Metropolitan Magistrate-II (Land Grabbing Cases) Chennai, to the Metropolitan Magistrate, CCB and CBCID Cases, Egmore, Chennai within a time frame.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents.



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3. In Crl.O.P.No.4298 of 2021, this Court has held as follows

''...3. Taking into consideration the facts and circumstances of the case and also of the fact that the jurisdiction of the land grabbing Court itself is now a subject matter of challenge before the Hon'ble Supreme Court, this Court deems it fit to transfer the final report filed in Crime No.330 of 2019 on the file of the Special Metropolitan Magistrate, Land Grabbing Court No.II, Allikulam to the Special Court for CCB/CBCID Cases, Egmore. The Special Court for CCB/CBCID Cases, Egmore is directed to take cognizance of the final report filed in Crime No.330 of 2019 within a period of four weeks from the date of receipt of copy of this order and proceed further to complete the proceedings as expeditiously as possible.

4. This Criminal Original Petition is disposed of with the above directions.''

4. This Court is of the considered opinion that the order dated 04.03.2021 passed in Crl.O.P.No.4298 of 2021, is squarely applicable to the facts of the present case.

5. Accordingly, by following the above said order, this Criminal Original Petition stands disposed of, by directing the respondents to withdraw the charge sheet pending on the file of Special Metropolitan Magistrate-II (Land Grabbing Cases) Chennai and file before the Metropolitan Magistrate, CCB and CBCID Cases, Egmore, Chennai.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

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To

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.

2. The Inspector of Police,
Anti Land Grabbing Cell,
Central Crime Branch,
Vepery, Chennai - 600 007.



3.The Sub-Inspector of Police,
Anti Land Grabbing Cell,
Central Crime Branch,
Vepery, Chennai - 600 007.

4.The Special Metropolitan Magistrate II
(Land Grabbing Cases)
Chennai

5.The Metropolitan Magistrate
CCB and CBCID Cases
Egmore, Chennai

6.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.K.V.Muthu Visakan, Advocate sr 34793.

CRL.O.P.No.12500 of 2021

JPL (CO)
SP(13/08/2021)