



**Crl.M.P.No.13716 of 2023
in Crl.O.P.No.7553 of 2021**

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V.SIVAGNANAM, J.

This Criminal Miscellaneous Petition has been filed by the petitioners seeking to extend the time for a period of six months granted by this Court vide its order dated 13.12.2022 in Crl.M.P.No.17983 of 2022 in Crl.O.P.No.7553 of 2021.

2. The learned Government Advocate (Crl.Side) appearing for the second respondent police submitted that the case in C.C.No.5444 of 2023 on the file of Special Court for CCB Cases (relating to cheating cases in Chennai) & CBCID Metro Cases, Egmore, Chennai has been posted to 13.09.2023 for arguments.

3. The learned counsel for the petitioners submitted that so far as this case is concerned, voluminous of documents have to be furnished before the Court below and more time is needed to argue the case. Hence, the learned counsel prayed that the time to complete the trial in C.C.No.5444 of 2023 on the file of Special Court for CCB Cases (relating to cheating cases in Chennai) & CBCID Metro Cases, Egmore, Chennai may be extended for a further period of six months.



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4. On perusal of the materials available on record, it is seen that this Court vide order dated 22.04.2021 disposed of CrI.O.P.No.7533 of 2021 by observing as follows:

“6. In view of the same, the learned Judicial Magistrate No.I, Kanchipuram is directed to send the case bundle along with documents forthwith to Special Court for CCB-CBCID Cases, Egmore, Chennai. Since there are 49 witnesses in this case, the trial Court is directed to complete the trial, within a period of six months from the date of receipt of a copy of this order. Considering the age of the respondents/accused, they are exempted from attending the Court proceedings. However, they have to appear before the trial Court as and when they are directed by the Court below.”

5. Further, it is also seen that pursuant to the above order, the case in C.C.No.31 of 2021 on the file of learned Judicial Magistrate No.I, Kanchipuram was transferred to Special Court for CCB Cases (relating to cheating cases in Chennai) & CBCID Metro Cases, Egmore, Chennai. Thereafter, the said case was transferred to Special Court for exclusive trial of Land Grabbing Cases, Chennai and renumbered as C.C.No.95 of 2022. While so, this Court vide order dated 13.12.2022 in CrI.M.P.No.17983 of 2022 in CrI.O.P.No.7553 of 2021, extended the time to complete the trial in C.C.No.95 of 2022 for a period of six weeks from the date of receipt of a copy of that order. However, the learned Special Metropolitan Magistrate No.II, Special



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Court for Exclusive Trial of Land Grabbing Cases, Chennai vide proceedings dated 05.06.2023, once again transferred the case back to Special Court for CCB Cases (relating to cheating cases in Chennai) & CBCID Metro Cases, Egmore, Chennai, where, it was taken on file in C.C.No.5444 of 2023. Now, the learned Metropolitan Magistrate, Special Court for CCB Cases (relating to cheating cases in Chennai) & CBCID Metro Cases, Egmore, Chennai has posted the case in C.C.No.5444 of 2023 to 13.09.2023 for arguments.

6. So far as this case is concerned, the petitioners have no *locus standi* to file a petition before this Court, seeking to extend the time to complete the trial in C.C.No.5444 of 2023. The petitioners are misusing the process of this Court by filing this kind of petition. Since this petition is unsustainable in law, the same is liable to be dismissed with costs. Accordingly, this Criminal Original Petition is dismissed with costs of Rs.10,000/-. The petitioners are directed to pay the said costs before the Special Court for CCB Cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai.

05.09.2023

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