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Criminal Original Petition No.2731 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.2731 of 2024

Saraswathi Raja
W/o.Raja Chittibabu

... Petitioner

Vs.

1.The State represented by
The Inspector of Police,
CCB-Anti Land Grabbing Cell, Team 17,
Vepery, Chennai District.

2.The Central Crime Branch,
Tambaram.

... Respondents

[R2 *suo motu* impleaded as per order
dated 12.02.2024 in CrI.O.P.No.2731/2024]

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Judicial Magistrate, Pallavaram, to take the charge sheet on file in connection with Crime No.17 of 2018 for the offences under Sections 419, 465, 467, 468, 471 r/w 324 IPC on the file of first respondent, which was filed on 26.08.2019 at once.

For Petitioner : Mr.A.L.Franc Paul Asirvadam
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed seeking for a direction to the learned Judicial Magistrate, Pallavaram, to take the charge sheet on file and proceed further.

2. Heard Mr.A.L.Franc Paul Asirvadam, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents.

3. When the matter came up for hearing on 12.02.2024, this Court passed the following order:

"When the matter came up for hearing, the learned Additional Public Prosecutor submitted that subsequent to the bifurcation, the case has been transferred to the file of the CCB, Tambaram and it now falls within the jurisdiction of the learned Judicial Magistrate, Tambaram. The learned Additional Public Prosecutor further submitted that the investigation is yet to be completed in this case.

2.In the light of the above submission, the Central Crime Branch, Tambaram, is *suo motu* added as the 2nd respondent in this criminal original petition. The learned Additional Public Prosecutor shall take instructions as to the stage of the investigation and report before this Court.

3.Post this case under the same caption on 26.02.2024."



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4. When the matter was taken up for hearing today, a status report was filed by the second respondent. The relevant portions are extracted hereunder:

"12. It is submitted that Tr.Venkatesan, Inspector of Police, Central Crime Branch, Tambaram received the Case Diary in Cr.No.17 of 2018, Central Crime Branch, Vepery on 01.03.2023 and took up the case for investigation.

13. It is submitted that after the completion of elaborate investigation the then Inspector of Police, he has filed Charge Sheet before the Judicial Magistrate, Alandur against the accused persons A1/(Impersonated/Saraswathi) (absconding), A2/Suresh, A3/Sivajirao, A4/Karthikeyan, A5/V.Basker, A6/Yuvaraj, on 26.08.2019.

14. It is submitted that on 16.12.2022 based on Point of jurisdiction separation, the case was transferred from Learned Judicial Magistrate Court, Alandur to Learned Judicial Magistrate Court, Tambaram.

15. It is submitted that as per the G.O.(Ms) No.1 Home (POL-XIV) department dated 01.01.2022, the Chennai Commissionerate was trifurcated as Chennai Commissionerate, Tambaram Commissionerate and Avadi Commissionerate.

16. It is submitted that now the Defacto complainant/Petitioner filed this present petition under Section 482 of Cr.P.C vide CrI.O.P.No.2731 of 2024 before this Hon'ble High Court vide seeking direction to direct the Judicial Magistrate, Pallavaram to take the charge sheet of Crime No.17 of 2018 for the offences under 419, 465, 567, 468, 471 r/w 34 IPC.

17. It is submitted that after completion of elaborate and detailed investigation, based on the statement of witnesses and material evidences, I have filed a charge sheet before the learned Judicial Magistrate Court No.1, Tambaram and the same was



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taken on file vide No.LTN20230002724C202400004 through e-filing, dated: 24.02.2024."

5. It is clear from the above that the final report has now been filed before the learned Judicial Magistrate I, Tambaram and the e-filing number has also been furnished and it is seen that the filing has taken place on 24.02.2024.

6. In view of the above, the learned Judicial Magistrate I, Tambaram, is directed to act upon the final report within a period of four (4) weeks and proceed further in accordance with law and complete the proceedings as expeditiously as possible.

This Criminal Original Petition is disposed with the above direction.

27.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To
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- 1.The Judicial Magistrate I,
Tambaram.
- 2.The Inspector of Police,
CCB-Anti Land Grabbing Cell, Team 17,
Vepery, Chennai District.
- 3.The Central Crime Branch,
Tambaram.
- 4.The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J



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27.02.2024