



WEB COPY



Crl.O.P.No.5382 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.5382 of 2024
& Crl.M.P.No.3936 of 2024

- 1.A.Praveenraj.
2. M.Ayyappan @ Arasilangumaran.
3. T.Pasupathi.
4. S.Anbu.
5. M.Rajamanikkam. ... Petitioners/Accused Nos.1 to 4 and 6

/versus/

1. State Represented by its
The Inspector of Police,
Bhuvanagiri Police Station,
Cuddalore District.
(Crime No.2 of 2021). ... 1st respondent/Complainant

2. S.Saranraj. ... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the charge sheet in S.C.No.17 of 2021 pending on the file of the Learned Special Judge for Exclusive Trial of cases under SC/ST Act, Cuddalore and quash the same as illegal as far as the petitioners are concerned.

For Petitioners : Mr.V.Manikandan

For R1 : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

For R2 : Mr.Parventhan



Crl.O.P.No.5382 of 2024

WEB COPY

ORDER

A case and counter arising out of same transaction. Two F.I.R's has been registered by Bhuvanagiri Police Station, Cuddalore District, one in Crime No.2 of 2021 another Crime No.3 of 2021.

2. The complaint against this petitioners been registered in Crime No.2 of 2021. On completion of investigation, final report taken cognizance by the Special Court for SC & ST Cases, Cuddalore and assigned S.C.No.17 of 2021. Whereas, the counter complaint been taken cognizance by the Judicial Magistrate-IV, Portonova in C.C.No.18 of 2022.

3. Since, it is case and counter, as per the direction of the Full Bench of this Court in ***T.Balaji and others vs. The State Rep. by, The Inspector of Police, New Washermenpet Police Station, Chennai*** (Crl.O.P.No.4587 of 2023, dated 08.08.2024), both the cases must be tried by the same Court.



Crl.O.P.No.5382 of 2024

WEB COPY

4. Therefore, it is appropriate to direct the Judicial Magistrate-IV, Portonova to transfer the C.C.No.18 of 2022 to the Learned Special Judge for exclusively Trial of cases under SC & ST Act and both the case to be tried together.

5. With this observation, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

03.09.2024

Index : Yes/No.

Neutral Citation : Yes/No.

bsm

To:-

1. The Learned Special Judge for Exclusive Trial of cases under SC/ST Act, Cuddalore.
2. The Inspector of Police, Bhuvanagiri Police Station, Cuddalore District.
3. The Public Prosecutor, High Court, Madras.



WEB COPY



Crl.O.P.No.5382 of 2024

Dr.G.JAYACHANDRAN, J.

bsm

Crl.O.P.No.5382 of 2024

03.09.2024