



WEB COPY



CrI.O.P.No.21520 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.21520 of 2024

and

CrI.M.P.No.12310 of 2024

Randolph

... Petitioner

Vs.

State of Tamil Nadu,
Rep.by The Drug Inspector,
Chengalpattu I Range,
O/o.The Assistant Director of Drugs Control,
Kancheepuram Zone, DMS Compus,
Chennai-600 006.

... Respondent

Prayer: Criminal Original Petition is filed under Section 407 Cr.P.C, pleaded to withdraw and transfer the calender case in C.C.No.472 of 2022 from the file of the learned Chief Judicial Magistrate, Chengalpattu to any Metropolitan Magistrate Court, Chennai.

For Petitioner : MrR.Sankaranarayan, Senior Counsel
for M/s.Gautam S.Raman

For Respondent : Mr.K.M.D.Muhilan
Government Advocate (CrI.Side)

ORDER



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The petitioner herein is A2 in C.C.No.472 of 2022, on the file of the Chief Judicial Magistrate, Chengalpattu is facing trial for offence under Sections 18(a)(i) and 18(B) which is punishable under Section 27(d) and 28-A of the Drugs and Cosmetics Act, 1940.

2. For the reason best known, the petitioner has made certain allegations against the Judge and had sent representation to the Registrar General, Madras High Court. Thereafter, he has abstained from appearing before the Court which has invited issuance of Non Bailable Warrant which is pending before the Chief Judicial Magistrate Court at Chengalpattu.

3. On the health ground as well as the apprehension that the Judge may have some bias, since he had made complaint against Judge, the petitioner seeks transfer of the case.

4. This Court, on hearing the learned senior counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) representing the complainant, is of the view that though the apprehension of the petitioner is baseless, taking note of the petitioner's health



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condition and the proximity to the Court, hold it appropriate to transfer the case from the file of Chief Judicial Magistrate, Chengalpattu to the Chief Judicial Magistrate, Kancheepuram.

5. Since the Non Bailable Warrant is pending against the petitioner, it is appropriate to direct the petitioner herein to appear before the Chief Judicial Magistrate, Chengalpattu on 19.09.2024 [next hearing date] and file a petition to recall of warrant. On such appearance and petition, the Chief Judicial Magistrate, Chengalpattu shall consider it in accordance with law and pass appropriate orders, on the same day and thereafter, transfer the case in C.C.No.472 of 2022 to the Chief Judicial Magistrate, Kancheepuram.

6. On receipt of the file, the Chief Judicial Magistrate, Kancheepuram shall cause notice to the accused and commence the trial and dispose it in accordance with law as early as possible.

Dr.G.JAYACHANDRAN,J.

rpl

7. With the above said directions, this Criminal Original



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Petition is disposed of. Consequently, the connected Criminal

Miscellaneous Petition is closed.

04.09.2024

Note : Issue order copy on 05.09.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Chief Judicial Magistrate, Chengalpattu.

2.The Chief Judicial Magistrate, Kancheepuram

3.The Drug Inspector,
Chengalpattu I Range,
O/o.The Assistant Director of Drugs Control,
Kancheepuram Zone, DMS Compus,
Chennai-600 006.

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

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