



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2015

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WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P.(MD)No.11702 of 2015

Rajesh Kumar

... Petitioner/Accused-2

Vs.

State represented by its  
The Inspector of Police,  
E.O.W.II, Nagercoil,  
Kanyakumari District.  
Crime No.4 of 2006.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to direct the learned Special Judge, Court under TNPID Act, Madurai to issue the copy of the order made in Crl.M.P.No.1140 of 2015 and Crl.M.P.No.1262 of 2015 within the time stipulated by this Court and not to proceed further in C.C.No.11 of 2009, on the file of the Special Judge, Special Court under TNPID Act, Madurai till such time.

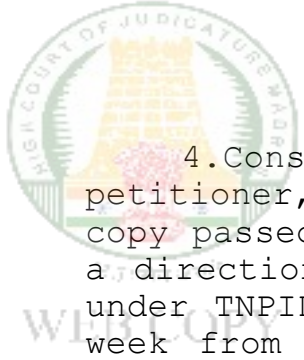
|                |                                |
|----------------|--------------------------------|
| For Petitioner | : Mr.S.Gokul Raj               |
| For Respondent | : Mr.A.P.Balasubramani         |
|                | Government Advocate (Crl.Side) |

#### O R D E R

This Criminal Original Petition is filed to direct the learned Special Judge, Special Court under TNPID Act, Madurai to issue the copy of the order made in Crl.M.P.No.1140 of 2015 and Crl.M.P.No.1262 of 2015 within the time stipulated by this Court and not to proceed further in C.C.No.11 of 2009, on the file of the Special Judge, Special Court under TNPID Act, Madurai till such time.

2.Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.side), appearing for the respondent.

3.The learned Counsel for the petitioner would submit that though an order of recall was passed, it was cancelled in view of the failure of the petitioner to comply with the condition imposed and further, a copy of the same was not given and the Court below has proceeded with the trial. He would further submit that non furnishing of copy of the order would prejudice to the petitioner.



4.Considering the limited scope of the prayer sought for by the petitioner, in which the petitioner is seeking issuance of order copy passed in CrI.M.P.No.1140 of 2015 and CrI.M.P.NO.1262 of 2015, a direction is issued to the learned Special Judge, Special Court under TNPID Act, Madurai, to issue the same within a period of one week from the date of receipt of a copy of this order. In the meanwhile, the trial will have to be deferred.

5.Accordingly, the Criminal Original Petition is disposed of.  
Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

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To

1. The Special Judge, Special Court under TNPID Act,  
Madurai.

2. The Inspector of Police,  
E.O.W.II, Nagercoil,  
Kanyakumari District.

3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to MR.S.GOKULRAJ, ADVOCATE IN SR NO.33963

CrI.O.P. (MD) No.11702 of 2015  
26.06.2015

RG.26.06.2015

2P.5C.I.T.