



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.11.2016
CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

WEB COPY

Cr1.O.P. (MD) .No.10663 of 2014
and
M.P. (MD) No. 1 of 2014

1. Zara Portfolio Management (P) Ltd
Rep. by its Managing Director R. Murali Ganesh
2. R. Murali Ganesh
3. P. Ramanathan
4. S. Sasikumar .. Petitioners/Accused

Vs.

1. The Deputy Superintendent of Police,
Economic Offences Wing-II,
Madurai. (Ref.Crime No.1/2010) .. 1st Respondent/Complainant
2. K. Ganapraksham .. 2nd Respondent/De-facto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records pertaining to the Criminal case in C.C. No. 25 of 2013 on the file of the Special Judge under the TNPID Act at Madurai and to quash the same.

For Petitioners : Mr. K.P.S. Palanivel Rajan
For R1 : Mr. K. Anbarasan
Government Advocate (Cr1. Side)

ORDER

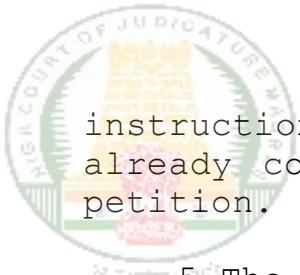
This petition has been filed to call for the records pertaining to the Criminal case in C.C. No. 25 of 2013 on the file of the Special Judge under the TNPID Act at Madurai and to quash the same.

2. Heard the learned counsel for the petitioners and the learned Government Advocate appearing for the first respondent.

3. This petition is filed mainly on the ground that the respondent police has no power to investigate the case registered under the provisions of TNPID Act and it has to be done only by the Revenue Divisional Officer/Competent Authority as per Section

<https://hccs.courts.govt.in/>

4. Per contra, the learned Government Advocate (Cr1. Side) on



instructions, would submit that the Hon'ble Supreme Court had already considered and rejected the grounds raised in the quash petition.

5. The learned counsel for the petitioner would submit that the personal appearance of the petitioners may be dispensed with and he further undertakes that the petitioners/accused will extend their co-operation for completion of the trial within the time stipulated by this Court.

6. Perusal of the records would reveal that there are *prima facie* materials available against the petitioners. Hence, this Court is not inclined to quash the case in C.C.No.25 of 2013, on the file of the Special Court under TNPID Act cases, Madurai.

7. In the result, this Criminal Original Petition is dismissed. Consequently, connected M.P(MD) No.1 of 2014 is also dismissed.

8. The personal appearance of the petitioners is dispensed with and they are directed to appear before the Trial Court as and when their presence is required and further they shall not dispute the identity of the witnesses. Further, the learned Special Judge under TNPID Act, Madurai, is directed to dispose of the case in C.C.No.25 of 2013, as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

- 1 .The Special Court for TNPID Cases Madurai.
 - 2 .The Deputy Superintendent of Police, Economic Offences Wing-II, Madurai.
 3. The Addl. Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1 cc to Mr. K.P.S.PALANI VEL RAJAN, ADAVOCATE, SR NO.73560

CM
UM/SS2-KSM:23.01.2017:2P-5C

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