



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

Cr1.O.P.(MD).No. 12740 of 2014
and
M.P(MD)Nos. 1&2 of 2014

Boopathi

.. Petitioner/
Accused No.3

Vs.

1. The State represented by,
The Inspector of Police,
Economic Offences Wing-II
Karur.
Crime No.1 of 2012

.. Respondent/
Complainant

2. S.Gunaseelan

.. Respondent/
Defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. praying to call for the entire records pertaining to the case in C.C.No.8 of 2013, pending on the file of the learned Special Judge for TNPID Act cases, Madurai and quash the same.

For Petitioner
For R-1

: Mr.R.Anand
: Mr.K.Anbarasan
Government Advocate
(Criminal side)

ORDER

This petition has been filed to quash the case in C.C.No.8 of 2013 pending on the file of the learned Special Judge for TNPID Act cases, Madurai.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the State and perused the records.

3. It is mainly contended by the learned counsel for the petitioner 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
<https://hcservicescourts.gov.in/hcservices/> Section 2(1) of TNPID Act.

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 petitioner may be dispensed with and he further undertakes that the petitioner/accused will extend his 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 petitioner. Hence, this Court is not inclined to quash the case in C.C.No.8 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).Nos.1 & 2 of 2014 are also dismissed.

8. The personal appearance of the petitioner is dispensed with and he is directed to appear before the Trial Court as and when his presence is required and further he 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.8 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(CO)

/True copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Economic Offences Wing-II,
Karur.

2. The Addl. Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

PJL

KK-CM-MSA-30.01.17-2p-3c

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