



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.11.2016
CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

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Crl.O.P.(MD) No.22539 of 2014
and
M.P(MD) No.1 of 2014

R.S.Arumugam ... Petitioner/A2

-Vs-

1.The Inspector of Police,
Economic Offence Wing II,
Tirunelveli. ...1st Respondent/Complainant

2.A.Thangarajeshwari .. 2nd Respondent/Defacto complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.101 of 2008 on the file of the Special Court under TNPID Act, Madurai.

For Petitioner : Mr.N.Mohideen Basha
For R1 : Mr.K.Anbarasan
Government Advocate (Crl. Side)

ORDER

This petition has been filed to quash the case in C.C.No.101 of 2008, on the file of the learned Special Judge under TNPID Act cases, Madurai.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) 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 Authority as per Section 2(1) of TNPID Act.

4.Per contra, the learned Government Advocate (Crl. Side) on instructions, would submit that the Hon'ble Supreme Court had ~~serviceadvisors.gov.in~~ and rejected the grounds raised in the quash petition.



5. 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 proceedings in C.C.No.101 of 2008, on the file of the Special Court under TNPID Act cases, Madurai.

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

7. The petitioner 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.101 of 2008, 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(Cs-I)

/True Copy/

Sub Assistant Registrar

To

1. The Special Judge for TNPID Act Cases,
Madurai.
2. The Inspector of Police,
Economic Offence Wing II,
Tirunelveli.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.N.Mohideen Basha, Advocate Sr.No.78513

Cr1.O.P. (MD) .No.22539 of 2014
30.11.2016

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