



WEB COPY

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

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM
CrI.O.P. (MD) .Nos.4824 and 4825 of 2014
and M.P (MD) Nos.1 and 1 of 2014

1.K. Calist Prema @ Nalini
2.K. Mary Ivin .. Petitioners/Accused No 3 and 4

Vs.

1.State Rep by its
The Deputy Superintendent of Police,
Economic Offences Wing-2
Nagercoil, Kanyakumari District.
2.The Inspector of Police,
Economic Offences Wing-2
Nagercoil, Kanyakumari District.
(Crime No. 15 of 2005) .. Respondents 1 and 2/Complainants
3.Mrs. Vasanthakumari .. Respondent/Defacto Complainant

PRAYER: Criminal Original Petitions are filed under Section 482 of Cr.P.C. praying to call for the records pertaining to the Charge sheet in C.C.Nos. 2 and 3 of 2011 dated 11.2.2011 pending before the Special Court under TNPID Act, Madurai in Crime No. 15 of 2005 dated 07.12.2005 on the file of the Respondent No. 1 U/S. 420 and 409 of IPC and Section 5 of TNPID Act 1997 and quash the same as illegal.

For Petitioners : Mr.T. Lajapathi Roy
For Respondent : Mr.K. Anbarasan,
Government Advocate (Criminal side)

ORDER

The petitions have been filed to call for the records pertaining to the Charge sheet in C.C.Nos. 2 and 3 of 2011 dated 11.2.2011 pending before the Special Court under TNPID Act, Madurai and quash the same.

2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2.

3.Though the petitions are filed on many grounds, the learned Government Advocate (CrI. Side) on instructions, would submit that the Hon'ble Supreme Court had already considered and rejected the grounds raised in the quash petition.

4.The learned counsel for the petitioners 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.



5. 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.Nos.2 and 3 of 2011, on the file of the Special Court under TNPID Act cases, Madurai.

6. In the result, the Criminal Original Petitions are dismissed. Consequently, connected M.P(MD) Nos.1 and 1 of 2014 are also dismissed.

7. 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.Nos. 2 and 3 of 2011, 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(writs)

/TRUE COPY/

Sub Assistant Registrar

To:

- 1.The Deputy Superintendent of Police,
Economic Offences Wing-2, Nagercoil, Kanyakumari District.
- 2.The Inspector of Police, Economic Offences Wing-2
Nagercoil, Kanyakumari District.
- 3.The Addl. Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Judge,
Special Court, Under TANPID ACT,
Madurai.

cm

sva/skn/mm/25.01.2017/2p/5c

Cr1.O.P. (MD) .Nos.4824 and 4825 of 2014
and
M.P (MD) Nos.1 and 1 of 2014
28.11.2016