



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.12.2016

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD).No.4581 of 2015

and

M.P(MD).No. 1 of 2015

1.Ponmaghal Hire Purchase and Finance,
Represented by P.Ilanthamizhan.

2.P.Ilanthamizhan .. Petitioners/
Accused Nos.1 and 2

Vs.

1. The State represented by,
The Deputy Superintendent of Police,
Economics Offences Wing-II,
Trichy. .. 1st Respondent /
Complainant

2. B.Venkatesh .. 2nd Respondent/
De-facto-complainant

PRAYER: Criminal Original Petition is filed under
Section 482 of Cr.P.C. praying to call for the records
pertaining to the above criminal case in C.C.No.12 of
2013, pending on the file of the Special Judge for
TNPID Act cases at Madurai, and quash the same.

For Petitioner : Mr.S.Ghouse Yacoob Hussain

For R1 : Mr.K.Anbarasan
Government Advocate
(Criminal Side)

ORDER

This petition has been filed to quash the case in
C.C.No.12 of 2013, pending on the file of the Special
Judge for TNPID Act cases at Madurai.

2. Heard the learned counsel for the petitioners
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 petitioners 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 already considered 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 petitioners. Hence, this Court is not inclined to quash the proceedings in C.C.No.12 of 2013 on the file of the Special Court under TNPID Act cases, Madurai.

6. In the result, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

7. The petitioners 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.12 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 (P&A)

/True copy/

Sub Assistant Registrar

To

1. The Special Judge,
The Special Court for TNPID Act Cases,
Madurai.
2. The Deputy Superintendent of Police,
Economics Offences Wing-II,
Trichy.



3

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

PJL

KK-MPA-SK-27.01.17-3p-4c

Cr1.O.P. (MD) .No.4581 of 2015
02.12.2016