



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 02.12.2016

CORAM:

**THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM**

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Cr1.O.P.(MD).No.5214 of 2015  
and  
M.P(MD).No.1 of 2015  
and  
CRL.M.P(MD).No.4478 of 2016

S. Krishnakumar .. Petitioner/A5  
Vs.

1. The State through,  
The Inspector of Police,  
Economic Offences Wing-II,  
Madurai.  
(Crime No. 01 of 2013)

.. Respondent/Complainant

2. R.N.Nirmala Nageswari ..2<sup>nd</sup> Respondent/defacto complainant

3.L.Krishnan

4.G.Muthukumarasamy .. Respondents

(RR 3 and 4 are impleaded as per  
the order of this Court,  
dated 04.03.2016, made in Cr1.MP.(MD).1525/2016  
in Cr1.O.P.(MD) 5214 of 2015)

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.11 of 2014, pending on the file of the Special Judge for TNPID Act cases at Madurai, and quash the same with regard to the petitioner.

For Petitioner : Mr.S.Ghouse Yacoob Hussain

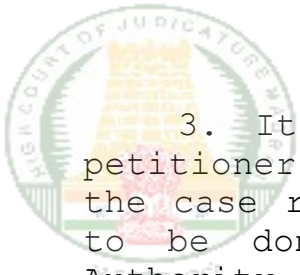
For R1 : Mr.K.Anbarasan  
Government Advocate (Criminal side)

#### ORDER

This petition has been filed to quash the case in C.C.No.11 of 2014, pending on the file of the Special Judge for TNPID Act cases at Madurai, as against the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. 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.

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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. 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.11 of 2014 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 petitions are 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.11 of 2014, 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,  
Special Court for TNPID Act Cases,  
Madurai.
2. The Inspector of Police,  
Economic Offences Wing-II,  
Madurai.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.M.Sankar, Advocate, SR.No.79856

PJL

<https://hscmep2015gov.in/2services/17-2P-5C>

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