



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

Cr1.O.P. (MD) .No. 3095 of 2011

and

M.P (MD) Nos.2&3 of 2011

Shanthi .. Petitioner / Accused No.2

Vs.

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

.. Respondent / Complainant

2. V.Sethuraman

.. Respondent/Defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records relating to C.C.No.14 of 2010, on the file of learned Special Judge under TNPID Act, Madurai and quash the same.

For Petitioner

: Mr.N.Shanmuga Selvam

For R-1

: Mr.K.Anbarasan

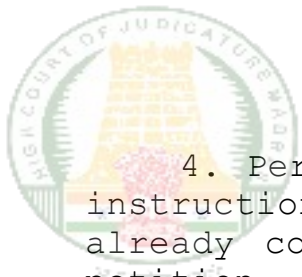
Government Advocate (Criminal side)

ORDER

This petition has been filed to quash the case in C.C.No.14 of 2010, on the file of the learned Special Judge under TNPID Act, Madurai.

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

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. He further submitted that the personal appearance of the petitioner may be dispensed with and he also undertakes that the petitioners will extend his co-operation for completion of the trial within the time stipulated by this Court.



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.

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5. The learned Government Advocate (Crl. Side) on instructions, would submit that the prosecution has examined seven witnesses and closed their side examination and now the case is posted for examination of defence witnesses.

6. In view of the above facts, this Court is not inclined to quash the case in C.C.No.14 of 2010, on the file of learned Special Judge under TNPID Act, Madurai. Hence this Criminal Original Petition is dismissed. Consequently, connected M.P.(MD). Nos.2 & 3 of 2011 are closed.

7. The personal appearance of the petitioner is dispensed with and she is directed to appear before the Trial Court as and when her presence is required. Further, the learned Special Judge under TNPID Act, Madurai, is directed to dispose of the case in C.C.No.14 of 2010 as expeditiously as possible, preferably, within a period of three months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

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

+1 CC to Mr.N.Shanmuga Selvam, Advocate, SR No.74967

PJL

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

Crl.O.P.(MD).No. 3095 of 2011
30.11.2016