



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2016

CORAM

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD)No.20905 of 2013

and

M.P(MD) .No.2 of 2013

and

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

Kumaran @ Kumaresan

... Petitioner/A4

Vs

1.The Inspector of Police,
Economic Offences Wing-II,
Virudhunagar,
Virudhunagar District.
(Cr.No.2 of 2012)

.. Respondent/Complainant

2.V.Sureshkumar

.. Respondent/Defacto
Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.18 of 2013, on the file of the Special Judge, Special Court under TNPID Act Cases, Madurai and quash the same.

For Petitioner: Mr.M.Veilkaniraju

For R1 : Mr.P.kannithevan
Government Advocate (Crl.Side)

ORDER

This petition has been filed to quash the case in C.C.No.18 of 2013, on the file of the Special Court under TNPID Act, 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.

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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 petitioner. Hence, this Court is not inclined to quash the proceedings in C.C.No.18 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 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.18 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 (Crl.Side)

/True Copy/

Sub Assistant Registrar

PJL

To

1. The Special Court for TNPID Act Cases, Madurai.

2. The Inspector of Police, Economic Offences Wing-II,
Virudhunagar, Virudhunagar District.

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

+1CC to Mr.G.Marimuthu, Advocate Sr.No.78146

+1CC to Mr.M.Veilkaniraju, Advocate Sr.No.74932

GJM/MR/VB/8.2.17-2p-6C

Crl.O.P. (MD) .No.20905 of 2013

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