



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD)No.6715 of 2011

and

M.P(MD)Nos.1 & 2 of 2011

1.Karuppasamy Finance and
Sri Saravana Thanga Nagai
Sirusemippu and Ella Chit,
S2/125, Security Colony,
BHEL, Thiruverambur,
Trichy.

2.M.Karuppasamy

3.K.Vasanthi

.. Petitioners/ Accused

-Vs-

The Inspector of Police,
Economic Offence Wing II,
Trichy.

.. Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the criminal case in C.C.No.106 of 2008, on the file of the Special Court for TNPID Act Cases, Madurai and quash the same.

For Petitioners : Mr.R.Sundar

For Respondent : Mr.K.Anbarasan
Government Advocate(Crl. Side)

For Intervenor : Mr.G.Dhanalakshmi

O R D E R

This petition has been filed to quash the case in C.C.No.106 of 2008, on the file of the learned Special Judge under TNPID Act, Madurai.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the State and the learned counsel for the intervenor.

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. He further submitted that the personal appearance of the petitioners may be dispensed with and he also undertakes that the petitioners will extend their 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.

5. In view of the above facts, this Court is not inclined to quash the case in C.C.No.106 of 2008, on the file of learned Special Judge under TNPID Act, Madurai. Hence this Criminal Original Petition is dismissed. Consequently, connected M.P. (MD).No.1 of 2011 is closed.

6. 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. Further, the learned Special Judge under TNPID Act, Madurai, is directed to dispose of the case in C.C.No.106 of 2008, 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(RTI)

/True Copy/

Sub Assistant Registrar

To:

1. Special Court under TNPID Act,
Madurai.

2. The Inspector of Police,
Economic Offence Wing II,
Trichy.

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

+1cc to M/S.G.Dhanalakshmi, intervenor in SR No.74852
+1cc to Mr.R.Sundar, Advocate in SR No.70044