



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) .No.5332 of 2013

1.S. Amutha

2. Prabhu

.. Petitioners/Accused Nos.5&6

Vs.

1. The Inspector of Police,
Economic Offences Wing-II,
Trichy.

.. Respondent/Complainant

2. P.Chandrasekar

.. Respondent/Defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records in pursuant to the C.C.No.2 of 2012, on the file of Special Court, TNPID Act cases, Madurai and quash the same.

For Petitioners : Mr.J.Sivaram

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

For R2 : Mr.P.Subbaraj

ORDER

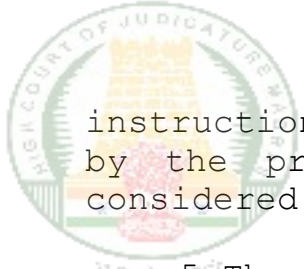
This petition has been filed to quash the case in C.C.No.2 of 2012 on the file of Special Court, TNPID Act cases, Madurai.

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 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.

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

4. Per contra, the learned Government Advocate (Crl. Side) on



instructions, would submit that 25 witnesses were already examined by the prosecution and the Hon'ble Supreme Court had already considered and rejected the grounds raised in the quash petition.

5. The learned counsel for the petitioners undertakes that the petitioners will extend their co-operation for completion of the trial within the time stipulated by this Court.

6. 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.2 of 2012, on the file of the Special Court under TNPID Act cases, Madurai.

7. In the result, this Criminal Original Petition is dismissed. Consequently, connected M.P.(MD).No.1 of 2013 is closed.

8. 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.2 of 2012, 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(Writs)

/True Copy/

Sub Assistant Registrar

To

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

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SMA/RR-ME/23.01.2017:2P/4C