

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.06.2017

C O R A M

The Honourable Mr.JUSTICE M.V.MURALIDARAN

CrI.O.P.No.19846 of 2012
and
M.P.No.1 of 2012

S.Thangaraj

...Petitioner

Vs.

1. The Competent Authority &
District Revenue Officer,
Office of the District Collector,
Coimbatore.
 2. The Inspector of Police,
Economic Offences - II,
Tiruppur.
 3. Tmt.B.Indirani
- ...Respondents

Criminal Original Petition filed under Section 482 r/w 320 of Cr.P.C., to permit the petitioner to compound the offences u/s 5 of the TNPID Act, r/w Sections 406 & 420 IPC, in C.C.No.48 of 2008 on the file of the Special Judge for TNPID Act cases, Coimbatore, by permitting the Petitioner to deposit a sum of Rs.6,32,500.00 as his 1/4th share out of the deposit of Rs.25,30,000.00 in connection with the above mentioned case and consequently discharge him from the case.

For Petitioner : Mr.S.E.J.Ayyappan

For R1 and R2 : Mr.P.Govindarajan
Additional Public Prosecutor

For R3 : No Appearance

O R D E R

This Criminal Original Petition has been filed praying to permit the petitioner to compound the offences u/s 5 of the TNPID Act, r/w sec.406 & 420 IPC in C.C.No.48 of 2008 on the file of the Special Judge for TNPID Act cases, Coimbatore, by permitting the Petitioner to deposit a sum of Rs.6,32,500.00 as his 1/4th share out of the deposit of Rs.25,30,000.00 in connection with the above mentioned case and consequently discharge him from the case.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2 and there is no representation for the third respondent.

3. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submits that since it is a compoundable offence under Section 5 of TNPID Act r/w Sections 406 and 420 IPC, the petitioner has to approach before the appropriate forum and this quash petition will not lie and he seeks dismissal of the petition.

4. In view of the submission made by the learned Additional Government Pleader, the criminal original petition is closed by giving a liberty to the petitioner to approach before the trial Court in C.C.No.48 of 2008 by filing an appropriate application to compound the offence and on filing such application, the learned trial Judge is directed to consider and pass order in accordance with law, within a period of four weeks thereafter. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Competent Authority &
District Revenue Officer,
Office of the District Collector,
Coimbatore.
2. The Inspector of Police,
Economic Offences - II,
Tiruppur.
3. The Special Judge,
TNPID Act Cases,
Coimbatore.

+1cc to M/s.E.J.Ayyappan, Advocate, S.R.No.55548

Crl.O.P.No.19846 of 2012

SS (CO)
CU (22/08/2017)



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