



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.04.2017
CORAM

THE HON'BLE MR. JUSTICE P.N. PRAKASH

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Crl.O.P. (MD) Nos.15446 of 2016, 12319 of 2015 and
and Crl.M.P.Nos.133/2016, M.P.Nos.1 and 2 of 2015
and Crl.O.P. (MD) No.12321 of 2015 and
M.P.Nos.1 and 2 of 2015 and Crl.M.P.No.132/2016

Crl.O.P. (MD) No.15446/2016

P.Justin Raj

... Petitioner/Accused No.5

-vs-

State of Tamil Nadu
Through Inspector of Police
Economic Offences Wing II
Nagercoil
Kanyakumari District
Cr.No.3 of 2006

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Special Court for the Tamil Nadu Protection of Depositors (in Financial Establishment Act 1997) (TANPID Act Cases) Madurai to dispose of the C.C.No.94 of 2008 within a stipulated time as that may be fixed by this Court.

For Petitioner	: Mr.S.Veeranasamy
For Respondents	: Mr.K.Anbarasan
	Government Advocate (Crl. side)

Crl.O.P. (MD) No.12319/2015

R.Sobana Jai

... Petitioner/Accused No.9

-vs-

1.State rep. by its
The Inspector of Police
Economic Offences Wing II
Nagercoil, Kanyakumari District.
Cr. No.3 of 2006

... Respondent/Complainant

2.Balakrishnan

... Respondents/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records in C.C.No.94 of 2008 on the file of the Special Judge, Special Court under TANPID Act, Madurai, and quash the same.

For Petitioner	: Mr.S.Gokulraj
For Respondents	: Mr.K.Anbarasan
	Government Advocate (Crl. side)



Crl.O.P. (MD) No.12321/2015

Rajeshkumar

... Petitioner/Accused No.2

-vs-

1.State rep. by its
The Inspector of Police
Economic Offences Wing II
Nagercoil, Kanyakumari District.
Cr.NO.4 of 2006

... Respondent/Complainant

2.Balakrishnan

... Respondents/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records in C.C.No.11 of 2009 on the file of the Special Judge, Special Court under TANPID Act, Madurai, and quash the same.

For Petitioner : Mr.S.Gokulraj

For Respondents : Mr.K.Anbarasan

Government Advocate (Crl. side)

COMMON ORDER

Crl.O.P.(MD) No.15446/2016 has been filed to direct the learned Special Court for the Tamil Nadu Protection of Depositors (in Financial Establishment Act 1997) (TANPID Act Cases) Madurai to dispose of the C.C.No.94 of 2008 within a stipulated time.

2. Crl.O.P.(MD) Nos.12319 and 12321 of 2015 have been filed to quash the cases in C.C.Nos.94 of 2008 and 11 of 2009 on the file of the Special Judge Special Court under TANPID Act, Madurai.

3. In view of the final order passed by the Hon'ble Supreme Court in Crl.A.No.94/2010 on 06.01.2016 and in the light of the judgment of this Court in Viswapriya (India) Limited and another v. Government of Tamil Nadu and others reported in (2015) 3 MLJ (Crl) 385, wherein, this Court has held that the Economic Offences Wing has the power to conduct investigation of offences under the TANPID Act, these petitions are not maintainable and accordingly, these petitions are dismissed with a direction to the trial Court to proceed with the trial in accordance with law. Liberty is given to the petitioner to raise all the points before the trial Court. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/



To:

1. The Special Judge, Special Court under TANPID Act,
Madurai

2. The Inspector of Police
Economic Offences Wing II
Nagercoil, Kanyakumari District

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

+1 cc to Mr.S.Veeranasamy, Advocate, SR.No. 53264

+2 cc to Mr.S.Gokulraj, Advocate, SR.No. 53369

**Crl.O.P. (MD) Nos.15446 of 2016, 12319 of 2015 and
and Crl.M.P.Nos.133/2016, M.P.Nos.1 and 2 of 2015
and Crl.O.P. (MD) No.12321 of 2015 and
M.P.Nos.1 and 2 of 2015 and Crl.M.P.No.132/2016
21.04.2017**

RR

MKV-SKN-RSK-SAR 1/21.4.2017/3P-7C