IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.Nos.9980 to 9989 of 2018
and Crl.M.P.Nos.5120 to 5129 of 2018

Crl.O.P.No.9980 of 2018:

1.Kalpana Devi
2.Dinesh Menon
3.Dilip Kumar .. Petitioners in all Crl.OPs

Vs

Additional Deputy Commercial Tax Officer-IW
Intelligence Wing
Commercial Taxes Department
100 feet road
Puducherry. .. Respondent in all Crl.OPs

Prayer:-
Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to the summons in Crl.M.P.No.1032 of 2018 in C.C.No.326 of 2010, Crl.M.P.No.1035 of 2018 in C.C.No.302 of 2008, Crl.M.P.No.1036 of 2018 in C.C.No.411 of 2010, Crl.M.P.No.1039 of 2018 in C.C.No.398 of 2010, Crl.M.P.No.1041 of 2018 in C.C.No.414 of 2010, Crl.M.P.No.1034 of 2018 in C.C.No.692 of 2010, Crl.M.P.No.1033 of 2018 in C.C.No.412 of 2010, Crl.M.P.No.1038 of 2018 in C.C.No.328 of 2008, Crl.M.P.No.1040 of 2018 in C.C.No.413 of 2010 Crl.M.P.No.1037 of 2018 in C.C.No.407 of 2010 on the file of the Judicial Magistrate-I, Puducherry and quash the same.

For Petitioners : Mr.Haza Nazirudeen
for Mr.S.Raveekumar

For Respondent : Mr.D.Bharathachakravarthy
Additional Public Prosecutor(Puducherry)

C O M M O N O R D E R

When this Court was about to dismiss these cases on merits, the learned counsel for the petitioners sought permission of this Court to withdraw these petitions and he has also made an endorsement to that effect. Permission is granted.

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Accordingly, these petitions are dismissed as withdrawn with liberty to appear before the Judicial Magistrate Court No.I, Puducherry and raise all the grounds before the said forum. It is however, made clear that the petitioners cannot be criminally held liable for the alleged crime of the deceased Deivanayagam, since fundamentals of criminal jurisprudence is that, crime is not an inheritable estate of the criminal. Consequently, connected miscellaneous petitions are closed.

2. The petitioners are directed to appear before the Judicial Magistrate-I, Puducherry within two weeks from the date of receipt of a copy of this order and on such appearance, they shall execute a bond u/s 88 Cr.P.C. for a sum of Rs.5,000/- without sureties, wherever not executed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gms

To

1. The Additional Deputy Commercial Tax Officer-IW
   Intelligence Wing,Commercial Taxes Department
   100 feet road, Puducherry.

2. The Judicial Magistrate-I, Puducherry.

3. The Public Prosecutor,(Puducherry)
   High Court, Madras.

+10ccs to Mr.S.Raveekumar, Advocate, S.R.No.27887

Crl.O.P.Nos.9980 to 9989 of 2018

GMR(CO)
CS/16/05/18

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