

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.No.304 of 2016 and
Crl.M.P.No.2032 of 2016

K.V.Dhasarathan

...Petitioner

Vs.

State rep. By
The Deputy Superintendent of Police,
Economic Offence Wing II,
Vellore.

...Respondent

The Criminal Revision case filed under Section 397 read with 401 of Code of Criminal Procedure to set aside the order passed in Crl.M.P.No.1196 of 2015 in C.C.No.3 of 2013 dated 15.12.2015 on the file of the learned Special Judge, under TNPID Act, Chennai.

For Petitioner : Mr.T.Muruganantham

For Respondent : Mr.R.Ravichandran
Govt. Advocate (Crl.Side)

ORDER

The petitioner herein is 3rd accused in the above C.C.No.3 of 2013 and he filed a petition in Crl.M.P.No.1196 of 2015 under Section 239 of Cr.P.C. seeking discharge. The learned Special Judge, after hearing both sides, dismissed the petition by an order dated 15.12.2015, against which, the 3rd accused has preferred this present criminal revision before this Court.

2 When the matter is taken up for hearing, the learned Government Advocate would submit that charges were already framed against this accused along with other accused, trial has also commenced and the matter is posted for examination of prosecution witnesses.

3 In view of the submissions made by the learned

Government Advocate (Crl.Side) and it is well settled preposition of law that after framing of charges and after commencement of trial, the petition under Section 239 of Cr.P.C. seeking discharge cannot be entertained and hence nothing survives in the present criminal revision.

4 Accordingly, the criminal revision is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-IV)

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Sub Assistant Registrar

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To

1. The Special Judge under TNPID Act, Chennai
2. The Public Prosecutor,
High Court of Madras.
3. The Deputy Superintendent of Police
Economic Offense Wing-II, Vellore.

GMV (18/09/2018)

Crl.R.C.No.304 of 2016

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