

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.88 of 2014

1.M/s.Best & Crompton Apparels Ltd.,
Shaw Nagar, Thiruvallur Road,
Arakkonam,
Vellore 631 004.

2.Shri M.K.Muralidharan,
Director.

3.Shri B.Harikumar,
General Manager.

... Petitioners

-Vs-

S.Venkatesan
Enforcement Officer,
Employees Provident Fund Organization,
31, Filterbed Road,
Vellore 632 001.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to quash all proceedings in S.T.C.No.449 of 2012 on the file of the Judicial Magistrate, Arakkonam.

For Petitioner : Mr.J.C.Durairaj

For Respondent : No appearance.

ORDER

The Criminal Original Petition has been filed seeking to quash all proceedings in S.T.C.No.449 of 2012, on the file of the Judicial Magistrate, Arakkonam.

2. The 1st petitioner is a company and the 2nd and 3rd petitioners are Director and General Manager of the said company. It is alleged that the petitioners failed to pay the Employees Pension Fund contribution for the months of July,

August and September 2011. Hence, the Enforcement Officer/respondent herein had filed a complaint in S.T.C.No.449 of 2012 before the learned Judicial Magistrate, Arakkonam, for the offence punishable under Section 14A and 14(1B) of the Employees Provident Funds and Miscellaneous Provisions Act, 1952.

3. The learned counsel for the petitioners submitted that they have paid the entire amount of Rs.65,00,000/- due towards contribution of the provident fund in all the cases filed against them. He further submitted that the respondent has also received the payment and acknowledged the receipt of the amount and issued a letter to that effect on 24.07.2013. Therefore, he seeks to quash the proceedings in S.T.C.No.449 of 2012.

4. There is no representation for the respondent.

5. It is seen that the petitioners have paid the entire amount due to the Employees Provident Fund Organization and the same has been acknowledged by the respondent. Accordingly, this Criminal Original Petition is allowed. The proceedings in S.T.C.No.449 of 2012 on the file of the Judicial Magistrate, Arakkonam is quashed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

rm

To

The Judicial Magistrate, Arakonam.

Copy To:

Enforcement Officer,
Employees Provident Fund Organization,
31, Filterbed Road,
Vellore 632 001.

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MG(CO)
CSL/09.04.2019