

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.3781 of 2014
and M.P.Nos.1 & 2 of 2014

Shri Nitin Bhai @ Nitin Desai ... Petitioner / Accused No.4

Vs.

The Assistant Commissioner of Central Excise
Head Quarters Legal Cell
Central Excise
Coimbatore. ... Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the C.C.No.97 of 2007 on the file of the learned Chief Judicial Magistrate, Coimbatore and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.G.Murugendran

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.97 of 2007 on the file of the learned Chief Judicial Magistrate, Coimbatore, having been taken cognizance for the offences punishable under Section 9 of the Central Excise Act, 1944.

2. It is seen that when the matter was posted on 28.02.2014 "For Admission", the learned counsel appearing for the petitioner took an adjournment and the matter was adjourned by one week. Thereafter, for the past five years, the learned counsel has not taken any steps to list the matter. It shows that the petitioner has no interest to pursue the matter. Further it is pending for more than five years without even ordering notice. Now after the lapse of five years period, this petition cannot be considered and this Court is not inclined to entertain this petition.

3. In view of the above, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-IV)

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Sub Assistant Registrar

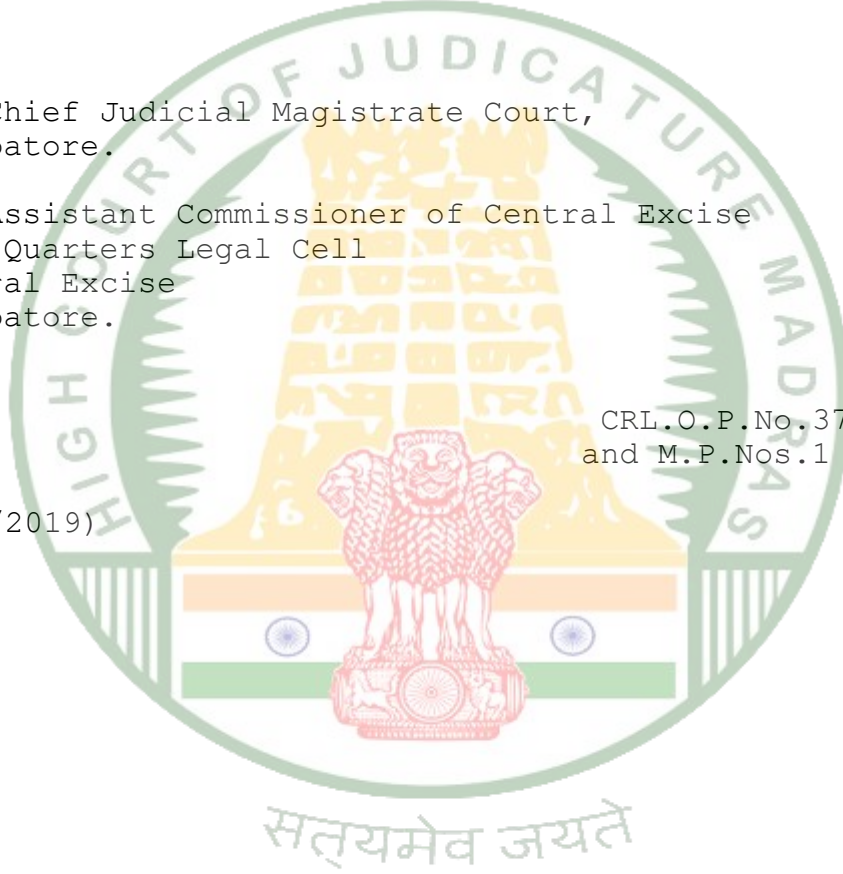
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To

- 1) The Chief Judicial Magistrate Court,
Coimbatore.
- 2) The Assistant Commissioner of Central Excise
Head Quarters Legal Cell
Central Excise
Coimbatore.

SV(CO)
SSM(10/04/2019)

CRL.O.P.No.3781 of 2014
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