



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Friday, the Twenty Sixth day of July Two Thousand Nineteen

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PRESENT

The Hon'ble Mrs. Justice T. KRISHNAVALLI

CRL MP(MD) Nos.1447 and 1481 of 2019

IN

CRL RC(MD) Nos.255 and 264 of 2014

STATE REP. BY  
THE INSPECTOR OF POLICE  
ECONOMIC OFFENCES WING II,  
NAGERCOIL,  
KANYAKUMARI DISTRICT.

... PETITIONER/RESPONDENT/COMPLAINANT  
IN CRL MP(MD) Nos.1447 and 1481 of 2019

Vs

KANNUPILLAI

... RESPONDENT/PETITIONER/3<sup>rd</sup> ACCUSED  
IN CRL MP(MD) Nos.1447 and 1481 of 2019

**COMMON PRAYER IN CRL MP(MD) Nos.1447 and 1481 of 2019.**

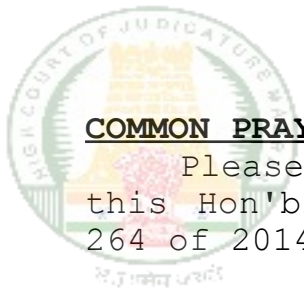
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to accept the affidavit and vacate the stay granted by this Hon'ble Court in CrI.M.P(MD)No.1 of 2014 in CrI.RC(MD)Nos.255,264 of 2014, dated 09.06.2014.

**PRAYER IN CRL RC(MD) No.255 of 2014:**

Pleased to call for the records pertaining to the Judgment passed by the Learned Special Judge (TANPID ACT Court), Madurai in CMP.No.2457 of 2013 dated 03.02.2014 in C.C.No.30 of 2013, dismissing the discharge application and set aside the same and acquit the petitioner and thus render justice.

**PRAYER IN CRL RC(MD) No.264 of 2014:**

Pleased to call for the records pertaining to the order passed in Cr.M.P.No.2456 of 2013 in C.C.No.29 of 2013 on the file of the Learned Special Judge under TNPID Act Cases, Madurai dated 03.02.2014 and Quash the same and thus render justice.

**COMMON PRAYER IN CRL.MP(MD)No.1 OF 2014:**

Pleaded to accept the affidavit and vacate the stay granted by this Hon'ble Court in Crl.M.P(MD)No.1/2014, in Crl.RC.(MD)Nos.255, 264 of 2014, dated 09.06.2014 and thus render justice.

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**Order** : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.A.P.G.OHM CHAIRMA PRABHU, GOVERNMENT ADVOCATE(CRL.SIDE) Advocate for the petitioners IN CRL MP(MD) Nos.1447 and 1481 of 2019 and of Mr.S.Suresh Kumar, Advocate for the Respondent in Crl.MP(MD)NO.1447 of 2019 and Mr.K.Prabhu for Mr.K.P.Krishnadass, Advocate for the Respondent in Crl.M.P(MD)No.1481 of 2019, the court made the following order:-

Crl.MP(MD)No.1447 of 2019 is filed to vacate the stay granted by this court in Crl.MP(MD)No.1 of 2014 in Crl.RC(MD)No.255 of 2014, dated 09.06.2014, whereas Crl.MP(MD)No.1481 of 2019 is preferred to vacate the stay granted by this court in Crl.MP(MD)No.1 of 2014 in Crl.RC(MD)No.264 of 2014, dated 09.06.2014

2.This Court has heard the submissions made on either side and perused the materials available on record.

3.In this case, charge sheet was filed before the Special Judge for TANPID Act Cases, Madurai and pending trial before the concerned court.

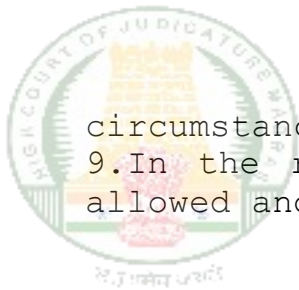
4.The Respondent/A3 filed discharge petition before the learned Special Judge under TNPID Act Cases, Madurai and the same was dismissed.

5.In this revision, the revision petitioner filed Crl.OP(MD) No.1 of 2014 for stay and this Court passed an order staying all the further proceedings in C.C.Nos.29 to 32 of 2013.

6.The petitioner stated that the respondent/A3 is one of the Branch Manager of the Bank and only on his inducement, the public have deposited their money with the hope that they will get more money and the trial court correctly dismissed the discharge petition, since there are enough materials to presume that the accused committed the offence and by obtaining stay from the court, the accused escaped from the clutches of law and prays that the stay has to be vacated.

7.As per the prosecution case, all the accused colluded themselves and cheated the innocent public and swindled money to the tune of Rs.1,57,47,392/-. It is the case of year 2007, if the stay continues, there is no progress in this case.

8.Further, the learned counsel for the revision petitioner submitted that there is a chance for settlement. Under these



circumstances, the reasons stated in the petitions are acceptable.  
9. In the result, in the interest of justice, these petitions are allowed and the stay already granted is vacated.

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sd/-  
26/07/2019

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Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

The Special Judge (TANPID ACT Court),  
Madurai

ORDER  
IN  
CRL MP (MD) Nos.1447 and  
1481 of 2019  
IN  
CRL RC (MD) Nos.255 and  
264 of 2014  
Date :26/07/2019

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