



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 12674 of 2015

and

CrI.O.P. (MD) No. 3269 of 2015

and

M.P. (MD) Nos. 1, 1, 2, 2 and 3 of 2015

In W.P. (MD) No. 12674 of 2015

P. Rammohan

... Petitioner

Vs

1. Government of Tamil Nadu,
Rep. by its Secretary,
Home Department,
St. George,
Chennai-600 009.

2. The Additional Director General of Police,
EOW-II,
Anna Nagar,
Chennai.

3. The State of Tamil Nadu,
Represented by Inspector of Police,
Economics Offence Wing-II,
CID, Trichy.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, to declare the registration of the FIR No. 1 of 2015 as without jurisdiction and therefore void and non-est.

For Petitioner : Mr. M. Palaniraja

For R1 to R3 : Mr. A. Robinson
Government Advocate (CrI.side)

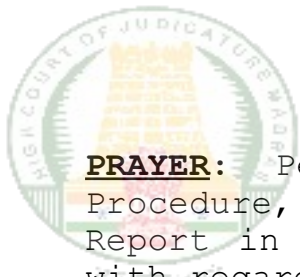
In CrI.O.P. (MD) Nos. 3269 of 2015
R. Subramanian

... Petitioner / A4

Vs

1. State represented
by Inspector of Police,
Economics Offence Wing-II,
CID, Trichy.

... Respondent/Complainant



PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records and quash the First Information Report in Crime No.1 of 2015 on the file of the first respondent with regard to the petitioner.

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For Petitioner : Mr.N.Shankar Ganesh
For R1 : Mr.A.Robinson
Government Advocate (Crl.side)
For R2 : Mr.C.Jeganathan
for M/s.Veera Associates

COMMON ORDER

In both these cases, a common ground has been raised that the respondent Police did not have the jurisdiction to investigate the offences under TNPID Act.

2.The issue is no longer *res integra*. The Hon'ble Supreme Court, in the decision reported in **(2011) 3 SCC 793(K.K.Baskaran Vs. State)**, rejected the said contention and sustained the validity of the TNPID Act.

3.A learned Judge of this Court, in the decision reported in **2015 4 law Weekly 33 (Viswapriya Financial Services and Securities Ltd., Vs. Government of Tamil Nadu)**, sustained the power of the police to investigate the offences under TNPID Act.

4.Therefore, respectfully following the aforesaid two decisions including the decision reported in **2019 1 LW(Crl) 197 (K.Mukund Rao Vs. M.Mohamed Riyaz)**, these criminal original petitions and writ petition are dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Records)

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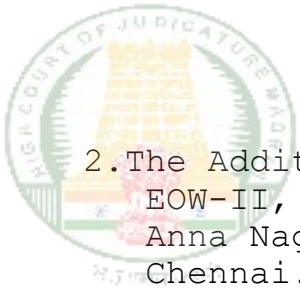
/ /2020

Sub Assistant Registrar(CS)

Rmi

To

1.The Secretary to Government,
Home Department,
St. George,
Chennai-600 009.



2.The Additional Director General of Police,
EOW-II,
Anna Nagar,
Chennai.

3.The Inspector of Police,
Economics Offence Wing-II,
CID, Trichy.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.M.PALANI RAJA, Advocate (SR-98099[F] dated 14/11/2019)

Order in

W.P. (MD) No.12674 of 2015
and
Crl.O.P. (MD) No.3269 of 2015
13.11.2019

VB (18.06.2020) 3P 6C