

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2020

CORAM

THE HON'BLE Mr. JUSTICE P.N. PRAKASH

CrI.R.C.No.617 of 2020

and CrI.M.P.No.4619 of 2020

K.Dhanasekaran,
S/o.Karuppu Thevar,
D.No.110-77th Street,
12th Sector, K.K.Nagar,
Chennai - 600 078. Petitioner/A-8

Vs.

State represented by
The Deputy Superintendent of Police,
Economic Offences Wing - II,
Coimbatore. Respondent/Complainant

Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. seeking to set aside the order of dismissal dated 13.03.2020 passed in C.M.P.No.7 of 2020 in C.C.No.15 of 2015 on the file of the Learned Special Judge, Special Court for TNPID Act cases (FAC), Coimbatore consequently allow CMP.7/2000 in C.C.No.15/15 by way of discharge the petitioner from C.C.No.15 of 2015.

For Petitioner : Mr.R.Umasuthan

For Respondent : Mrs.P.Kritika Kamal
Government Advocate
(CrI. Side)

O R D E R

This case is taken up through video conferencing.

2. On 29.07.2020, this Court passed the following order:
"This revision petition has been filed challenging the order of dismissal passed by the trial Court on the discharge petition filed by the petitioner under Section 239 Cr.P.C.

2. Heard the learned counsel for the petitioner in extenso and perused the records.

3. When this Court expressed its view that there is no infirmity in the order passed by the trial Court and there are prima facie materials against the petitioner for framing charges in C.C.No.15 of 2015, the learned counsel for the petitioner sought adjournment by a week saying that he wants to produce more documents.

4. It is seen from 2015 to 2020, there has not been any progress in the trial of the case.

Post the matter for orders finally on 05.08.2020."

3. Today, when the matter was taken up for hearing, the learned counsel for the petitioner filed a memo, which reads as follows:

"1. It is submitted that the above revision petitioner has been filed for setting aside the order of dismissal dated 13.03.2020 passed by the Learned Special Judge, Special Court for TNPID Act, Coimbatore, in C.M.P.No.7 of 2020 in C.C.No.15 of 2015.

2. It is submitted that the petitioner is unable to obtain the supportive papers from the trial Court due to COVID-19 lock down. Hence, it is humbly prayed the petitioner may be permitted to withdraw the above criminal revision petition without prejudice to his rights to defend in C.C.No.15 of 2015 on the file of the trial Court.

3. Hence, it is humbly prayed that this Hon'ble Court may be pleased to dismiss the above criminal revision "as not pressed and withdrawn" and thus render justice."

In view of the above, this petition is dismissed as withdrawn with liberty to the petitioner to raise all the points before the trial Court after the charges are framed. Connected Crl.M.P. is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Special Judge,
Special Court for TNPID Act cases,
Coimbatore.

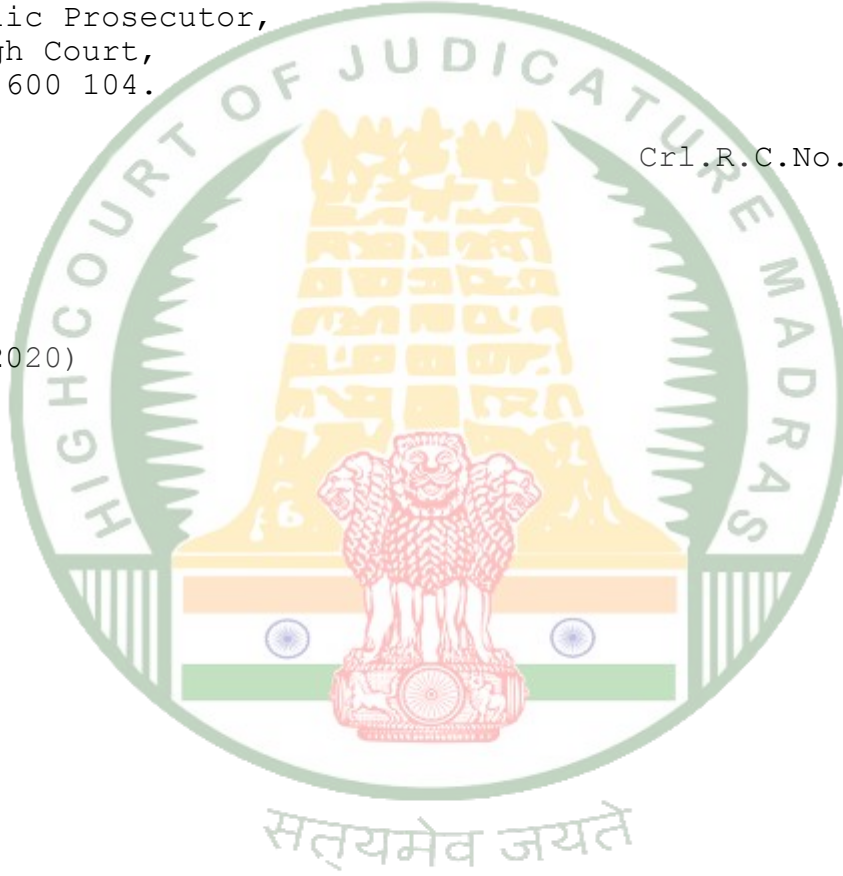
2.The Deputy Superintendent of Police,
Economic Offences Wing - II,
Coimbatore.

3.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

Cr1.R.C.No.617 of 2020

AJI (CO)

GN(28/10/2020)



WEB COPY