

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.OP.No.1559 of 2021
and
Crl.MP.Nos.900 & 902 of 2021

C.Saravanan
S/o.Chickannan

....Petitioner

Vs.

1.The Deputy Superintendent of Police,
Economic Offences Wing-II,
Salem.

2.The Inspector of Police,
City Crime Branch,
Salem City.

3.M.R.Ruthrasamy,
S/o.Rayapa Mudaliyar.

.... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to C.C.No.6 of 2019 on the file of Special Court for TNPID Cases, Coimbatore and to quash the same and to allow the above Criminal Original Petition.

For Petitioner : Mr.C.Prabakaran

For Respondents: Mr.C.Raghavan

Government Advocate (Crl. Side)
for R1 & R2.

O R D E R

This petition has been filed seeking to quash the proceedings in C.C.No.6 of 2019, pending on the file of the learned Special Judge, TNPID Court, Coimbatore.

2.The petitioner before this Court has been added as A26 in the final report.

3.The learned Government Advocate (Criminal Side) submitted that there are prima facie materials against the petitioner.

4. This Court has carefully considered the submissions made on either side and also perused the materials placed on record.

5. The grounds that have been raised by the learned counsel for the petitioner is purely factual in nature and this Court cannot go into the same in exercise of its jurisdiction under Section 482 of Cr.P.C. It is left open to the petitioner to raise these grounds before the Court below and the Court below shall consider the same on its own merits and in accordance with law.

6. The learned counsel for the petitioner requested this Court to dispense with the presence of the petitioner. The presence of the petitioner is dispensed with and he shall be represented by a counsel who shall cross examine the witnesses on the same day, they are examined in Chief. The petitioner shall be present before the Court below at the time of questioning under Section 313 Cr.P.C and at the time of passing of the final judgement.

7. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings, within a period of three months from the date of receipt of a copy of this order. The trial shall be conducted on a day to day basis in accordance with the guidelines given by Hon'ble Supreme Court reported in Vinod Kumar Vs State of Punjab [2015 (1) MLJ (Cr1) 288 SC]. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CO)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

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To

- 1.The Special Court for TNPID Cases,
Coimbatore.
- 2.The Deputy Superintendent of Police,
Economic Offences Wing-II,
Salem.

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3.The Inspector of Police,
City Crime Branch,Salem City.

4.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.C.Prabakaran, Advocate Sr.6600

Cr1.OP.No.1559 of 2021

vsn II[co]
srg 23/02/2021



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