

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.2498 of 2021

K.P.K.Periyasamy

..Petitioner

vs.

State rep.by
Deputy Superintendent of Police,
Economic Offences Wing-II,
Erode.

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 08.01.2021 passed in Crl.MP.No.1264 of 2020 in C.C.No.14 of 2012 on the file of the Special Judge, Special Court under TNPID Act, Coimbatore and may be pleased to allow the petition filed under Section 311 of Cr.P.C.

For Petitioner : Mr.V.Purushothaman

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This Criminal Original petition has been filed challenging the order passed by the Court below dismissing the application filed by the petitioner under Section 311 of Cr.P.C., to recall nearly 38 witnesses for cross examination.

2.The petitioner is facing trial before the Court below for an offence under Sections 120(b), 406, 420 of IPC and Section 5 of TNPID Act.

3.The petitioner has been arrayed as A 5. The petitioner filed an application under Section 311 of Cr.P.C., to recall nearly 38 witnesses for cross examination. The Court below on considering the entire facts of the case, was pleased to dismiss the application by order dated 8.01.2021. Aggrieved by the same, the present petition has been filed before this Court.

4.Heard Mr.V.Purushothaman, learned counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing on behalf of the respondent.

5.On a careful reading of the order passed by the Court below, this Court does not find any illegality or infirmity in the order passed by the Court below and the Court below is perfectly right in dismissing the application filed by the petitioner. This Court does not find any ground to interfere with the order passed by the Court below and accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

KP

To

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

2.Special Judge,
Special Court under TNPID Act,
Coimbatore.

3.The Public Prosecutor,
Chennai.

+1 CC to Mr.V.Purushothaman, Advocate sr 8533.

Cr1.O.P No.2498 of 2021

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RSV(CO)
SP(04/03/2021)