



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.D. JAGADISH CHANDIRA

Crl.R.C.No.862 of 2021 and
Crl.M.P.No.12173 of 2021

R.Sivaraj

..Petitioner

Vs.

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

Crime No.25 of 2012

..Respondent

Prayer: Criminal Revision Case filed under Section 397(1) read with Section 401 of the Code of Criminal Procedure (Cr.P.C) to set aside the order dated 21.10.2020 made in Crl.M.P.No.1631 of 2014 in C.C.No.35 of 2013 passed by the Special Judge, Special Court under TNPID Act, Coimbatore and to allow the criminal revision petition.

For petitioner : Mr.C.Prabakaran

For respondent : Mr.S.Sugendran

Government Advocate (crl.side)

O R D E R

The petitioner/accused has filed this Criminal Revision Petition to set aside the order of dismissal dated 21.10.2020 made in Crl.M.P.No.1631 of 2014 in C.C.No.35 of 2013 passed by the Special Judge, Special Court under TNPID Act, Coimbatore.

2. Learned counsel for the petitioner would submit that the petitioner is innocent and there is no specific allegation in the F.I.R and the final report filed against the petitioner. Even allegation against the petitioner is that he was a collection agent. He would further submit that the petitioner has also deposited Rs.9,00,000/- in the company.



3. Mr.S.Sugendran, learned Government Advocate (crl.side) would submit that the petitioner is arrayed as A15 in this case. The allegation against the petitioner is that he along with the other accused canvassed for deposits and based on the canvassing done by the petitioner, amounts were collected and granted. He would further submit that number of witnesses spoken about the involvement of the petitioner and at the stage of discharge, the Court cannot conduct roving enquiry or mini trial to find out the conduct or the deposit made by the petitioner.

4. Heard both sides and perused the materials available on record.

6. From the available records, this Court finds that prima facie case is made out against the petitioner/accused and there is no perversity, illegality or infirmity in the order passed by the learned Magistrate. Therefore, the revision is liable to be dismissed. Accordingly, this Criminal Revision Case is dismissed. Consequently, connected, criminal miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vri/shk
To

1. The Special Judge, Special Court under TNPID Act,
Coimbatore

2. The Deputy Superintendent of Police,
Economic Offences Wing -II,
Salem.
Crime No.25 of 2021

3. The Public Prosecutor, High Court, Madras.

+1 CC to Mr.C.Prabakaran, Advocate sr 64427

Cr1.R.C.No.862 of 2021

PL(CO)
SP(03/01/2022)