

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.01.2021

Coram

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.M.P.No.8448 of 2020

in

Crl.O.P.No.14636 of 2020

Kanthasamy

... Petitioner

Vs.

State Rep by

The Superintendent of CGST & Central Excise,

No.6/7 ATD Street, Race Course Road,

Coimbatore -18

(C.No.IV/06/31/2020-HPU)

... Respondent

Prayer: This Criminal Miscellaneous Petition has been filed under Section 482 of Cr.P.C. to modify the condition that Para No.6(c) the wife of the petitioner shall deposit an amount of Rs.3,00,000/- to the credit of C.No.IV/06/31/2020-HPU on the file of the respondent.'vide order dated 08.10.2020 in Crl.O.P.No.14636 of 2020 by this Court.

For Petitioner : Mr.M.Mariappan

For Respondent : Mr.N.P.Kumar

Special Public Prosecutor (GST)

ORDER

(This case has been heard through video conference)

This Criminal Miscellaneous Petition has been filed to modify the condition imposed by this Court in Crl.O.P.No.14636 of 2020, dated 08.10.2020, that Para No.6(c) the wife of the petitioner shall deposit an amount of Rs.3,00,000/- to the credit of C.No.IV/06/31/2020-HPU on the file of the respondent.

2. The learned counsel for the petitioner would submit that after registration of the case, house search was conducted and a sum of Rs.4,00,000/- and 10 documents were recovered and they were kept in an almirah and sealed. He would submit that the petitioner's wife had filed a petition in Cr.M.P.No.464 of 2020 before the Chief Judicial Magistrate, Coimbatore to permit her to open the Almirah and take the documents and the cash. However, since he was not properly advised by

the parties, he had not mentioned about filing of Crl.M.P.No.464 of 2020 before this Court in the present petition and thereby he would seek to withdraw the petition.

3. Recording the same, this Criminal Miscellaneous Petition is dismissed with liberty to file a fresh application with correct facts.

-sd/-
11/01/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE.

2 THE SPECIAL PUBLIC PROSECUTOR
FOR GST CASES, HIGH COURT, MADRAS.

3 THE SUPERINTENDENT OF
CGST AND CENTRAL EXCISE,
NO.6/7, ATD STREET,
RACE COURSE ROAD, COIMBATORE-18.

C.C. to M/S.M.MARIAPPAN Advocate on payment of necessary charges

Order

in
CRL MP.8448/2020

in
CRL OP.14636/2020

Date :11/01/2021

From 7.2.2001 the Registry is issuing certified
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