



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NOS.4415, 4416, 4417 & 4418 OF 2017 AND
CRL.M.P.NOS.3296, 3297, 3298 & 3299 OF 2017

1. C.S.Purushothman
...Petitioner in Crl.O.P.No.4415 of 2017
2. R.Panchapakesan
...Petitioner in Crl.O.P.No.4416 of 2017
3. Swarna Mahadevan
...Petitioner in Crl.O.P.No.4417 of 2017
4. P.S.Mahadevan
...Petitioner in Crl.O.P.No.4418 of 2017

Vs

The Assistant Registrar of Companies,
Tamil Nadu, Chennai,
having office at "Shastri Bhavan",
26, Haddows Road, Chennai - 6.

...Respondent in all Crl.O.P.'s

PRAYER:

Criminal Original Petitions filed under Section 482 of Criminal Procedure Code, to set aside the orders dated 14.02.2017 passed by the learned Additional Chief Metropolitan Magistrate (Economic Offences-II), Chennai in M.P.Nos.343, 342, 345 and 344 of 2017 in E.O.C.C.No.841 of 2002 and the consequential issuance of a non bailable warrant against the petitioners.

For Petitioners : Mr.Arun Anbumani
(In all Crl.O.P.'s) for Mr.E.Jaya Sankar

For Respondent : Mr.K.Ramanamoorthy,
(In all Crl.O.P.'s) Central Government Counsel



O R D E R

These Criminal Original Petitions are filed to set aside the orders dated 14.02.2017 passed by the learned Additional Chief Metropolitan Magistrate (Economic Offences-II), Chennai in M.P.Nos.343, 342, 345 and 344 of 2017 in E.O.C.C.No.841 of 2002 and the consequential issuance of a non bailable warrants against the petitioners for the offences under Sections 62, 63, 68 and 628 of the Companies Act, 1956.

2. The only concern of the petitioners is Non Bailable Warrants pending before the trial Court and it is also brought to the notice of this Court that before the trial Court in E.O.C.C.No.841 of 2002 petitions filed for dispensing with the appearance of the petitioners under Section 317 of Cr.P.C. were negatived by the Court and Non Bailable Warrants had been issued. Therefore, it is stated that this Court vide order dated 19.11.2021 stayed the further proceedings in E.O.C.C.No.841 of 2002. In such view of the matter, nothing survives in these petitions.

3. However, keeping in view of the matter that Non Bailable Warrants are pending, the petitioners are at liberty to approach the trial Court to file an application to recall Non Bailable Warrants and on such filing of the application, trial Court is directed to recall the Non Bailable Warrant on the same day, since the matter has already been stayed by this Court.

4. With the above direction, these Criminal Original Petitions are disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ggs / kbs



To

1. The Additional Chief Metropolitan Magistrate (Economic Offences-II), Egmore, Chennai-8.
2. The Assistant Registrar of Companies, Tamil Nadu, Chennai, having office at "Shastri Bhavan", 26, Haddows Road, Chennai - 6.
3. The Public Prosecutor, High Court, Madras.

+1cc to Mr.K.Ramanamoorthy,, Advocate, S.R.No.64918
+1cc to Mr.E.Jaya Sankar, Advocate, S.R.No.65732

Crl.O.P.Nos.4415, 4416, 4417
& 4418 of 2017 and
Crl.M.P.Nos.3296, 3297, 3298
& 3299 of 2017

KG(CO)
PM/23/12/2021