



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2021

CORAM

**THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN**

Crl.O.P. (MD) No.4310 of 2021 and

CRL.M.P. (MD) No.2418 of 2021

Kavitha

... Petitioner / Accused No.2

Vs.

1. The Competent Authority/  
District Revenue Officer,  
Karur, Karur District.

... Adjudicating Authority

2. The Deputy Superintendent of Police,  
Economic Offences Wing-II,  
Karur,  
Karur District.

(Crime No.4 of 2008) ... 1<sup>st</sup> Respondent / Investigating Officer

3. The Inspector of Police,  
Economic Offences Wing-II,  
Karur, Karur District.  
(Crime No.4 of 2008)

... Respondent / Complainant

**Prayer:** Criminal Original petition is filed under Section 482 of Cr.P.C, to postpone the trial in C.C.No.15 of 2010 on the file of the learned Special Judge (Special Court) under TNPID Act Cases, Madurai pending adjudication of the proceedings under Section 5-A of TNPID Act before the competent authority / District Revenue Officer, Karur, Karur District pursuant to the order passed in Crl.M.P.No.1792 of 2020 dated 02.12.2020.

For Petitioner : Mr.Yogesh Kannadasan

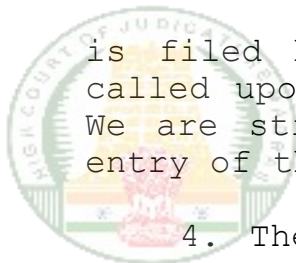
For Respondents : Mr.T.Senthil Kumar,  
Additional Public Prosecutor.

### **O R D E R**

Heard the learned counsel on either side.

2. The Criminal Original Petition has been filed for seeking de novo trial in C.C.No.15 of 2010 on the file of the Special Court under TNPID Act Cases, Madurai.

3. When the matter was taken up for hearing, the learned counsel appearing for the petitioner pointed out that the accused have filed Crl.M.P.No.1792 of 2020 under Section 5-A of TNPID Act and the same was allowed on 02.12.2020. The competent authority was directed to compound the offence for payment on entire amount due to depositors with or without interest as per Section 5-A of TNPID Act. He stated that the matter is still pending on the file of the competent authority. The grievance of the petitioner is that till the report



is filed by the competent authority, the petitioner need not be called upon to appear. I find that the said request is reasonable. We are still in difficult pandemic times and that therefore, the entry of the litigants in the Court premises is avoidable.

4. The Court below is directed to dispense with the personal appearance of the petitioner, till the report is received from the competent authority pursuant to the direction given on 02.12.2020 by the Court below. This criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

**Note:** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

**To:**

1. The Special Judge,  
The Special Court under TNPID Act Cases,  
Madurai.
2. The Competent Authority/  
District Revenue Officer,  
Karur, Karur District.
3. The Deputy Superintendent of Police,  
Economic Offences Wing - II,  
Namakkal District.
4. The Inspector of Police,  
Economic Offences Wing - II,  
Karur, Karur District.
5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

CrI.O.P. (MD) No.4310 of 2021  
18.11.2021

NSN (CO)

KB(13.12.2021) 2P 6C