



WEB COPY

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.4309 of 2021 and

CRL.M.P.(MD)No.2417 of 2021

1. Ravi
2. Vijayalakshmi ... Petitioners / Accused Nos. 3 & 4
Vs.
1. The Deputy Superintendent of Police,
Economic Offences Wing-II,
Namakkal District.
... 1st Respondent / Investigating Officer
2. 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 direct the learned Special Judge (Special Court) under TNPID Act Cases, Madurai, to conduct de Novo trial of the case in C.C.No.17 of 2010 pending on its file after framing charges in consonance with Section 13(1) & (2) of TNPID Act r/w. Section 240 of Cr.P.C.

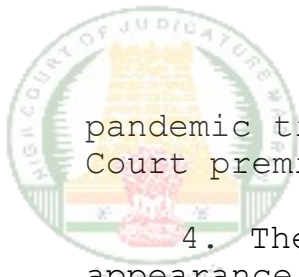
For Petitioner : Mr.Yogesh Kannadasan
For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

O R D E R

Heard the learned counsel on either side.

2. The petitioners herein are figuring as accused Nos.3 and 4 in C.C.No.17 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 petitioners pointed out that the accused have filed Crl.M.P.No.1769 of 2020 under Section 5-A of TNPID Act and the same was allowed on 02.02.2021. The competent authority was directed to compound the case on repayment of deposit amount to all the depositors with interest at the rate fixed by the competent authority on his discretion. He stated that the matter is still pending on the file of the competent authority. The grievance of the petitioners is that till the report is filed by the competent authority, the petitioners 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 petitioners, till the report is received from the competent authority pursuant to the direction given on 02.02.2021 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.

Crl.O.P. (MD)No.4309 of 2021
18.11.2021

NSN (CO)
KB(13.12.2021) 2P 6C