

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Thirteenth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) No.8138 of 2019

AND

CRL MP(MD)No.5052 of 2019

V.SRIPRIYA

... PETITIONER/ACCUSED

Vs

THE INCOME TAX DEPARTMENT,
O/O.THE PRINCIPAL COMMISSIONER OF INCOME TAX-2
MADURAI 625 002
REP.BY S.SOORIYAKUMARI,
INCOME TAX OFFICE,
NON CORPORATE WARD-3(4),
MADURAI-625 002.

... RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to call for the records relating to the complaint in C.C.No.424 of 2019 on the file of the Learned Additional Chief Judicial Magistrate, Madurai and quash the same.

Prayer in CRL MP(MD) .5052/2019 :

To grant an interim stay of all further proceedings in C.C.No.424 of 2019 on the file of the Learned Additional Chief Judicial Magistrate, Madurai, pending disposal of the above Crl.OP.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.AR.L.SUNDARESAN, Senior counsel for Mr.AL.GANTHIMATHI Advocate for the petitioner and of MR.K.SUYAMBULINGA BHARATHI, Government Advocate(Crl.Side) on behalf of the Respondent, the court made the following order:-

The learned Senior counsel appearing for the petitioner would submit that a complaint has been filed against the petitioner under Section 139(1) of the Income Tax Act, on the ground that the petitioner has failed to file a return for the assessment year 2014-15. He would further submit that subsequently the petitioner filed return and paid the entire tax and also filed a petition on 26.02.2019 for compounding the offence and the same is pending. Pending the same, the present complaint has been filed. Hence, the present criminal original petition has been filed.

2.Heard Mr.AR.L.Sundaresan, learned Senior counsel appearing for the petitioner.

3.Considering the above circumstances, there shall be an order of interim stay.

4.Notice.

sd/-
13/06/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE,
MADURAI

2.THE INCOME TAX DEPARTMENT,
O/O.THE PRINCIPAL COMMISSIONER OF INCOME TAX-2
MADURAI 625 002
REP.BY S.SOORIYAKUMARI,
INCOME TAX OFFICE,
NON CORPORATE WARD-3(4),
MADURAI-625 002.

+1. CC to M/S.AL.GANTHIMATHI Advocate SR.No.9641

ORDER
IN

CRL OP (MD) No.8138 of 2019
AND

CRL MP (MD) No.5052 of 2019
Date :13/06/2019

AKV/VSG

PK/PN/SAR-1/18.06.2019 : 2P/4C