



DATED:15/11/2021

C.O. Letter No.311/2021/MB

From

J.Inbakumar, B.Sc.,B.A.L.,
Assistant Registrar (CS-III)
Madurai Bench of Madras High Court,
Madurai.

TO

1. THE SPECIAL JUDGE UNDER TNPID ACT
(IN (FINANCIAL ESTABLISH ACT)1997,
MADURAI.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Sub: CRL OP(MD). No.16398 of 2021 and Crl M.P.(MD). No.8806 of 2021 on the file of the Madurai Bench of Madras High Court - To admit this petition on the file to and call for the records from the lower court in CC.40/2013 and set aside the Order dt. 5/10/2021 in Crl.MP No.1942 of 2021 in CC No. 40 of 2013 on the file of the Special Court under TNPID Act, 1997..Madurai - report called for - Regarding.

Prayer in Crl.M.P.No.8806 of 2021:

To stay all further proceedings of the trial in CC No.40 of 2013 on the file of the Special Court under TNPID(In Financial Establishment) Act 1997, Madurai.

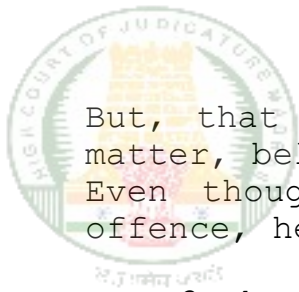
Ref: High Court's Order dated 27/10/2021 in CRL OP(MD). No.16398 of 2021 and Crl M.P.(MD).No.8806 of 2021

The Hon'ble High Court, while hearing the CRL OP(MD). No.16398 of 2021 and Crl M.P.(MD).No.8806 of 2021 has passed an order as below:

This petition is filed seeking an order to set aside the order passed in Crl.M.P.No.1942 of 2021 in CC.No.40 of 2013, which was filed to recall P.W1 and P.W21, who were examined on 02.08.2021, on the file of the learned Special Judge under TNPID (In Financial Establishment) Act, 1997, Madurai.

2.The grievance of the petitioner is that Cr.M.P.No.1742 of 2020 under Section 5(A) of TNPID Act was filed to settle the issue.

<https://hcservices.ecourts.gov.in/hcservices/>



But, that petition came to be dismissed stating that it is a old matter, belatedly filed, the accused persons are dragging the issue. Even though chance was given to the petitioner to compound the offence, he did not come forward.

3.The learned Senior Counsel appearing for the petitioner would submit that because of the non-passing of the order by the concerned authority, the 2nd accused filed W.P.(MD) No.13586 of 2021 before this Court and a direction has also been issued to him to submit fresh representation within a period of 4 weeks from the date of receipt of a copy of that order. It is dated 06.09.2021. As per the order, the 2nd accused filed Crl.M.P.No.1961 of 2021 and now, it is kept pending. Pending the aforesaid proceedings, the impugned order has been passed.

4.Let a report be called for from the learned Special Judge under TNPID (In Financial Establishment) Act, 1997, Madurai, as to the stage of Crl.M.P.No.1961 of 2021. In the meantime, the learned Additional Public Prosecutor get instructions from the competent authority as to the stage of Crl.M.P.No.1961 of 2021.

5.List the matter for final disposal on 18.11.2021. In the meantime, there shall be an order of interim stay.

As directed, you namely the SPECIAL JUDGE UNDER TNPID ACT (IN FINANCIAL ESTABLISH ACT)1997, MADURAI is hereby required to submit your report as stated supra, to this Registry on or before 17/11/2021 as the matter stands posted on 18/11/2021.

ASSISTANT REGISTRAR(CS-III)

Copy to:

1. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai
(For follow up the report and posting the matter)

RK/PM(15/11/2021) 2P 4C