



WEB COPY

CrI.O.P.(MD)No. 18691 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P.(MD)No. 18691 of 2021

P.Ramanathan

... Petitioner / Accused No.3

Vs.

The State of Tamil Nadu Rep. By,
The Deputy Superintendent of Police,
E.O.W.-II, Madurai.
(Crime No.1 of 2010)

... Respondent / Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records in CrI.M.P.No.3542 of 2021 in C.C.No.25 of 2013 on the file of the Special Court for Tamil Nadu Protection of Interests of Depositors Act 1997, Madurai, dated 17.11.2021 and set aside the same.

For Petitioner : Mr.K.P.S.Palanivel Rajan

For Respondents : Mr.M.Veeranthiran,
Government Advocate.

O R D E R

Heard the learned counsel on either side.

2. The learned counsel appearing for the petitioner states that all that he wants is to set aside the cost of Rs.1,00,000/- imposed on the petitioner herein.

3. The petitioner had only filed a petition for recall. It is of course open to the petitioner to file such a petition. It is for the Court to decide whether to allow the same or not. In this case, the petition was filed on 01.11.2021. The counter affidavit was filed by the respondent on the very next day and on 17.11.2021 it was dismissed. The petitioner cannot be said to have dragged on the proceedings by filing this petition. Therefore, imposing cost of Rs.1,00,000/- for filing such a petition is



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unwarranted. Cost imposed on the petitioner is set aside. In all other respects, the order impugned in this criminal original petition is confirmed. This criminal original petition is partly allowed.

Sd/-

Assistant Registrar (Crl side)

// 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 for
Tamil Nadu Protection of Interests
of Depositors Act 1997, Madurai.
2. The Deputy Superintendent of Police,
E.O.W.-II, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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RK(20/12/2021) 2P 4C