

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1200 OF 2020

Tamilselven Chelaipallar ...Petitioner

V/s.

The State of Maharashtra & Anr. ...Respondents

Mr. S. C. Mangle i/by Mr. B. V. Salunkhe for Petitioner.

Mr. R. M. Pethe, APP for Respondent No.1 (State).

CORAM : AMIT BORKAR, J.

DATE : NOVEMBER 15, 2022

PC.:

1. The order impugned in the present Petition is an order rejecting Application of discharge. The order not being interlocutory order is appealable under Section 12 of Maharashtra Control of Organised Crime Act (for short "MCOCA"). The petitioner therefore has alternative efficacious statutory remedy. The advocate for the petitioner therefore seeks permission to withdraw the Writ Petition with liberty to file statutory Appeal under Section 12 of MCOCA.

2. The Petition is disposed of as withdrawn with liberty as prayed for.

3. The Appellate Court in an Application seeking condonation of delay in filing Appeal shall take into consideration pendency of present Writ Petition as factor for holding it to be bonafide proceedings.

(AMIT BORKAR, J.)