



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

CRL.O.P.NO.21038 OF 2016

AND

CRL.M.P.NOS.9745 & 9746 OF 2016

Bernard Robert Hereford

... Petitioner/Accused-15

Vs.

The Deputy Registrar of Companies,
Tamilnadu, Chennai,
Having Office at II Floor,
Sashtri Bhavan, 26, Haddows Road,
Nungambakkam, Chennai - 6.

... Respondent/Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Cr.P.C, praying to call for the records in EOCC.No.197 of 2013, on the file of the learned Additional Chief Metropolitan Magistrate (Economic Offences) - III, Egmore, Chennai and to quash the same.

For Petitioner : Mr.M.Mohammed Rafi

For Respondent : No appearance

ORDER

There is no representation for the respondent.

2.This Criminal Original Petition has been filed by the petitioner to quash the proceedings of the learned Additional Chief Metropolitan Magistrate (Economic Offence), Egmore, Chennai, in EOCC.No.197 of 2013.

3.The sole point that was urged by the learned counsel for the petitioner is that the alleged violation as per the private complaint is dated 05.03.2002, while the petitioner herein had



become the Director of Church of South India Trust Association on 26.04.2010 and resigned from the said Directorship on 11.02.2014. In other words, on the date of the alleged violation, the petitioner was not holding the said post. On similar contentions, Crl.O.P.Nos.517/2017, 518/2017, 518/2017, 520/2017, 521/2017, 522/2017, 523/2017, 524/2017, 525/2017 & 526/2017 were allowed in respect of the very same petitioner herein. Another defence is that the point is covered earlier in all those cases.

4.Taking note of the factual position that on the date of the alleged violation occurred, the petitioner herein was not holding the post of Director, the continuation of the proceedings is held to be illegal. Accordingly, the proceedings in EOCC.No.197/2013, on the file of the learned Additional Chief Metropolitan Magistrate (Economic Offences) - III, Egmore, Chennai, as against the petitioner herein/accused -15 stands quashed and this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

dua

To

The Deputy Registrar of Companies,
Tamilnadu, Chennai,
Having Office at II Floor,
Sashtri Bhavan, 26, Haddows Road,
Nungambakkam, Chennai - 6.

+1cc to M/s.M.Mohammed Rafi, Advocate, S.R.No.32356

Crl.O.P.No.21038 of 2016
and Crl.M.P.Nos.9745 & 9746 of 2016

MT(CO)
RLP(16/06/2022)