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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

Crl.O.P.No.6345 of 2018
and
Crl.M.P.Nos.3211 and 3212 of 2018
and
Crl.O.P.No.6346 of 2018
and
Crl.M.P.Nos.3219 and 3220 of 2018

Dattatraya Murari Shirodkar

... Petitioner / 5th Accused
in both Crl.O.Ps

Vs.

The Deputy Registrar of Companies, Tamil Nadu,
Having office at Shastribhavan,
26, Haddows Road, Chennai - 600 006.

...Respondent / Complainant
in both Crl.O.Ps

COMMON PRAYER in Crl.O.P.No.6345 and 6346 of 2018:Criminal Original Petitions filed under Section 482 of Cr.P.C, to call for the records in EOCC.Nos.398 and 388 of 2017 respectively on the file of the Additional Chief Metropolitan Magistrate Court, E.O-I, Chennai-3, quash the summons and all further proceedings thereof.

For Petitioner : Mr.P.L.Narayanan
in both Crl.O.Ps

For Respondent : Mr.C.E.Pratap,
Government Advocate (Crl.Side)
in both Crl.O.Ps

C O M M O N O R D E R

These Criminal Original Petitions have been filed to call for the records in EOCC.Nos.398 and 388 of 2017 respectively on the file of the learned Additional Chief Metropolitan Magistrate, E.O-I, Chennai-3, quash the summons and all further proceedings thereof.



2. A similar case with similar set of facts was considered by my Brother Justice N.Sathish Kumar, in CrI.O.P.No.6845 of 2018, dated 10.01.2022 and quashed the proceedings against the petitioner therein on the sole ground that the petitioner is independent director and he does not have any role in the day-to-day business of the Company. Thus, I find that the petitioner herein has made out a case to quash the proceedings against him.

3. Accordingly, both these Criminal Original Petitions are allowed and the proceedings initiated against the petitioner is quashed. Consequently, connected CrI.M.Ps are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional Chief Metropolitan Magistrate,
The Additional Chief Metropolitan,
Magistrate Court, E.O.I,
Chennai - 3.
2. The Deputy Registrar of Companies,
Having office at Tamil Nadu,
Shastribhavan, No.26, Haddows Road,
Chennai - 600 006.
3. The Public Prosecutor,
High Court, Madras - 600 104.

CrI.O.P.No.6345 of 2018 and
CrI.M.P.Nos.3211 and 3212 of 2018 and
CrI.O.P.No.6346 of 2018 and
CrI.M.P.Nos.3219 and 3220 of 2018

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NSK/30/06/2022