



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Eighth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL MISCELLANEOUS PETITION Nos.3674, 3675, 3677 & 3684 of 2022

in

Crl.A.Nos.223, 224, 226 & 222 of 2021

1 SRI BALAJI INVESTMENTS,
REP.BY ITS MANAGING PARTNER,
J.ILANCHEZHIAN

[PETITIONERS/APPELLANTS
IN CRL.MP.NO.3674/2022
IN CRL.A.NO.223/2021]

2 J.ILANCHEZHIAN
3 M.LOGANATHAN
4 S.SANTHI
5 M.RAVICHANDRAN
6 R.NAGARAJAN
7 M.SEKAR
8 A.KRISHNAMURTHY

1 SRI VASAVI ENTERPRISES
REP. BY ITS MANAGING PARTNER,
J.ILANCHEZHIAN

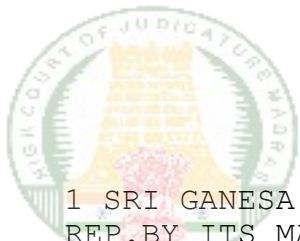
[PETITIONERS/APPELLANTS
IN CRL.MP.NO.3675/2022
IN CRL.A.NO.224/2021]

2 J.ILANCHEZHIAN

1 SREE SRINIVASA SYNDICATE
REP.BY ITS MANAGING PARTNER,
J.ILANCHEZHIAN

[PETITIONERS/APPELLANTS
IN CRL.MP.NO.3677/2022
IN CRL.A.NO.226/2021]

2 J.ILANCHEZHIAN
3 D.CHANDRA BAI
4 BRINDACHINI
5 R.SAI LAKSHMI
6 K.SAISARAVANAN
7 S.THIRUVENGADAM
8 RAMESH @ BALASUBRAMANIAM
9 M.SEKAR
10 R.BALAKRISHNAN



1 SRI GANESA FINANCE,
REP.BY ITS MANAGING PARTNER,
J.ILANCHEZHIAN

[PETITIONERS/APELLANTS
IN CRL.MP.NO.3684/2022
IN CRL.A.NO.222/2021]

2 J.ILANCHEZHIAN
3 RAMESH @ BALASUBRAMANIAM
4 R.BALAKRISHNAN
5 J.VEERAPANDIAN
6 R.RAMAKRISHNAN

Vs

THE STATE REP.BY ITS
THE DEPUTY SUPERINTENDENT OF POLICE,
E.W.O.II,
ERODE,
ERODE DISTRICT.
(CRIME Nos.13,5,4 & 8 OF 2002)

[RESPONDENT
IN ALL THE PETITIONS]

Petitions praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) relax the conditon "to appear before the Ld Special Judge, Special Court for TNPID Cases, COimbatore on the first working day of every month at 10.30.a.m., until further orders" imposed in Para No.5 of the order dated 05.05.2021 made in Crl.M.P Nos. 5627,5636,5639/2021 in Crl.A.Nos. 223,224,226/2021 on the file of Hon`ble Court. [CRL.MP. Nos.3674, 3675, 3677/2022]

(ii) relax the conditon "to appear before the Ld Special Judge, Special Court for TNPID Cases, COimbatore on the first working day of every month at 10.30.a.m., until further orders" imposed in Para No.4 of the order dated 05.05.2021 made in Crl.M.P No. 5624/2021 in Crl.A.No. 222/2021 on the file of Hon`ble Court. [CRL.MP. No.3684/2022]

Order : These petitions coming on for orders upon perusing the petitions and the filed in support thereof and upon hearing the arguments of N.MANOCHARAN, Advocate for the petitioners [IN ALL THE PETITIONS] and of M/S.LEONARD ARUL JOSEPH SELVAM, Govt. Advocate (Crl. Side) on behalf of the Respondent [IN ALL THE PETITIONS] the court made the following order:-

These petitions have been filed to relax the condition to appear before the learned Special Judge, Special Court for TNPID Cases, Coimbatore on the first working day of every month at 10.30 am., until further orders.



2. The petitioners herein are the accused in C.C.Nos.78 of 2008, 77 of 2008, 74 of 2008 and 75 of 2008 respectively, on the file of the learned Special Judge, Special Court for TNPID Cases, Coimbatore. The learned Special Judge, by the judgment dated 24.03.2021, found the accused guilty for the offence under Section 5 of TNPID Act, convicted and sentenced as under:

S. No.	C.C.No.	Conviction	Sentence
1	C.C.No.78 of 2008	Section 5 of TNPID Act 1997	to undergo simple imprisonment for a period of three years months and to pay a fine of Rs.8,00,000/-, in default to undergo a simple imprisonment for a period of one year.
2.	C.C.No.77 of 2008	Section 5 of TNPID Act 1997	to undergo simple imprisonment for a period of three years months and to pay a fine of Rs.2,00,000/-, in default to undergo a simple imprisonment for a period of one year.
3.	C.C.No.74 of 2008	Section 5 of TNPID Act 1997	to undergo simple imprisonment for a period of three years months and to pay a fine of Rs.11,00,000/-, in default to undergo a simple imprisonment for a period of one year.
4.	C.C.No.75 of 2008	Section 5 of TNPID Act 1997	to undergo simple imprisonment for a period of three years months and to pay a fine of Rs.6,00,000/-, in default to undergo a simple imprisonment for a period of one year.

Challenging the above judgments, the petitioners preferred appeals before this Court and the same were pending in CrI.A.Nos.223, 224, 226 & 222 of 2021, respectively.

3. While at the time of admitting the Criminal Appeals, this Court suspended the substantive sentence imposed upon the petitioners with a direction to appear before the trial Court on the first working day of every month. Later the petitioners also complied with the said order. Only in the said circumstances, the petitioners are before this Court to relax the above said condition.



4. Heard, the learned counsel appearing on either side and perused the materials on record.

5. Admittedly, the petitioners are the accused in the above four cases wherein, in all the cases they have been convicted, against which appeals have been filed and the same were pending before this Court. Being the reason, all the appeals were filed in the year 2021, the same are not likely to be taken for final hearing in the near future. In the said circumstances, the condition imposed by this Court, while at the time of admitting the Criminal Appeals is not onerous. The petitioners were directed to appear before the trial Court once in a month and the same is usual. In other wise, without any specific reason for relaxing the condition, these petitions have been filed.

6. Considering the above facts and circumstances of the case, this Court is not inclined to entertain these petitions. Accordingly, all the miscellaneous petitions are dismissed.

-sd/-
28/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SPECIAL JUDGE,
SPECIAL COURT UNDER TNPID ACT,
COIMBATORE.

2 THE SPECIAL JUDGE,
SPECIAL COURT UNDER TNPID ACT,
CHENNAI.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
E.W.O. II, ERODE,
ERODE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



+4 C.C. to N.MANOCHARAN Advocate on payment of necessary charges SR.Nos.4669,4670,4671 & 4672

WEB COPY

Order

in

CRL MP.Nos.3674, 3675, 3677 & 3684 of 2022

in

CrI.A.Nos.223, 224, 226 & 222 of 2021

Date :28/03/2022

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RW 06/04/2022