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Crl.O.P.No.25817 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

Crl.O.P.No.25817 of 2022

Rajeev Mahesh Sanghivi

... Petitioner

Vs.

Government of Tamil Nadu,
rep. by Deputy Director, Health-IV,
TS, 47/1, Thiru Vi.Ka. Industrial Estate,
Guindy, Chennai 600 032.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Chief Metropolitan Magistrate Judge, Egmore to permit Mr.Rajesh, Chief Executive Officer to appear on behalf of the company and to pay the fine amount in C.C.NO.4785 of 2021.

For Petitioner : Mr.M.Maharaja and
Mr.D.Suriyanaarayanan

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)



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ORDER

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This Criminal Original Petition has been filed to direct the learned Chief Metropolitan Magistrate Judge, Egmore to permit Mr.Rajesh, Chief Executive Officer to appear on behalf of the petitioner company and to pay the fine amount in C.C.No.4785 of 2021.

2. The learned counsel for the Petitioner submitted that the petitioner company is an accused in C.C.4785 of 2021 and is represented by its Director. He further submitted that the Director namely Mr.Rajeev Mahesh Sanghivi met with an accident and hence, he is unable to appear before the Trial Court. Therefore, one Mr.Rajesh TV, Chief Executive officer at No.21, South Phase Thiru vi Ka Industrial Estate, Guindy, Chennai is appointed as Authorised Representative to manage and administer the company and hence, he may be permitted to appear on behalf of the petitioner company and to file the guilt petition and to pay the fine amount in C.C.No.4785 of 2021 on the file of the Chief Metropolitan Magistrate, Egmore.

3. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that, Non Bailable Warrant is issued against the petitioner company and the same is pending.



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4. Heard learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

5. Considering the facts and circumstances of the case and also taking into account the fact that the Director of the petitioner Company met with an accident and is not able to appear before the Court and also considering the submission that the authorised representative of the petitioner Company is ready to file the guilt petition and to pay the fine amount, as contemplated under the Act, this Court is inclined to allow the petition.

6. Accordingly, this petition is allowed and Mr.Rajesh TV, Chief Executive Officer is permitted to appear before the Chief Metropolitan Magistrate, Egmore in C.C.No.4785 of 2021 on behalf of the petitioner company and to file guilt petition and pay the fine amount.

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Index: Yes/No
mst

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To:

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1. The Chief Metropolitan Magistrate,
Egmore.
2. The Public Prosecutor,
High Court of Madras.



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V.SIVAGNANAM, J.

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