



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL. O.P. NO. 25430 OF 2018

AND

CRL.M.P.NOS. 14516 AND 14518 OF 2018

1.R.Devadoss
2.M.Saraswathi

... Petitioners

Versus

The Deputy Director,
Directorate of Enforcement,
Government of India, Ministry of Finance,
Shastri Bhavan, 3rd Floor, 3rd Block,
No.26, Haddows Road,
Chennai-06.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to C.C.No.03 of 2014, pending on the file of the Principal Sessions Court, Chennai and quash the same.

For Petitioners : Mr.S.Sivakumar

For Respondent : Mr.Rajnish Pathiyil
Special Public Prosecutor
for Enforcement cases

ORDER

This Criminal Original Petition is heard through Video-Conferencing, on account of the COVID-19 pandemic situation.

2. This Criminal Original Petition has been filed to quash the proceedings in C.C.No.03 of 2014, pending on the file of the Principal Sessions Court, Chennai.

3. The present petitioners are A1 and A2. Though several grounds raised which are factual in nature and it requires



evidence, the same cannot be adjudicated while, exercising the power under Section 482 Cr.P.C. It is also stated by the learned Special Public Prosecutor appearing for the respondent that the petitioner is the husband of D.Bhanumathi, she has also filed a petition for quash in Criminal O.P.No.17967 of 2020, the same was dismissed by this Court order dated 01.02.2021. As similar allegations have been raised, this Court dismissed the quash petition and found that there is a prima facie materials to frame charge. Hence, this Court cannot take a contrary view as against the A1.

4. It is also stated by the learned Special Public Prosecutor appearing for the respondent that the charges have already been framed on 29.07.2021. In such view of the matter, it is very well open to the petitioners to raise all their legal defence before the trial Court.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Criminal Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

psa/asr

To

1. The Principal Sessions Court,
Chennai.
2. The Deputy Director,
Directorate of Enforcement,
Government of India, Ministry of Finance,
Shastri Bhavan, 3rd Floor, 3rd Block,
No.26, Haddows Road,
Chennai-06.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Sivakumar, Advocate, S.R.No.1864

Cr1. O.P. No. 25430 of 2018

JPL(CO)
RLP(31/01/2022)