



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Thirty First day of October Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.10768 of 2022
IN
CRL A(MD) No.552 of 2022

A. MURUGANANDAM

... PETITIONER/APPELLANT/
ACCUSED

Vs

THE STATE REP.BY
THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
NAGERCOIL.
CRIME NO. 1/1996

... RESPONDENT/RESPONDENT/
COMPLAINANT

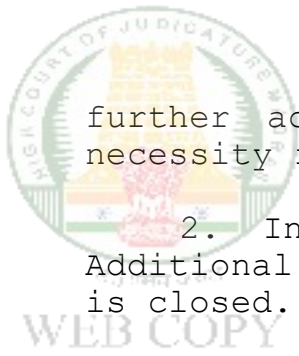
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Stay all further proceedings pertaining the confiscation order passed in Special S.C No. 2 of 2005 on the file of the Special Judge cum Chief Judicial Magistrate, Kanyakumari District at Nagercoil by its Judgment dt.24.08.2022 pending disposal of appeal.

PRAYER IN CRL A(MD).552 of 2022:

Pleased to call for records and allow the appeal by setting aside the order of confiscation passed by the Special Judge-cum-Chief Judicial Magistrate, Kanyakumari District at Nagercoil made in Special S.C.No.2 of 2005 by its order dated 24-08-2022.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.S.SHUNMUGAVELAYUTHAM, Senior Advocate for M/S.SURI.M, Advocate for the petitioner and of Mr.S.RAVI, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent police submitted that as per Section 13(a) of the Criminal Law(Amendment) Ordinance, 1944, the confiscation could not be initiated, since the appeal has been preferred. Only after disposal of the appeal proceedings,



further action has to be initiated and therefore, there is no necessity for passing any order of interim stay.

2. In view of the above submission made by the learned Additional Public Prosecutor, this Criminal Miscellaneous Petition is closed.

sd/-
31/10/2022

/ TRUE COPY /

/11/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SPECIAL JUDGE CUM CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
NAGERCOIL.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+2. C.C. to M/S. SURI M Advocate SR.No.12132

ORDER

IN

CRL MP(MD) No.10768 of 2022
IN
CRL A(MD) No.552 of 2022
Date :31/10/2022

tta
SA/VR/SAR.3/21.11.2022/2P/6C