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Crl.O.P.(MD) No.18760 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.11.2022

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THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.18760 of 2022

N. Nattarayan

...Petitioner

VS

1. The Inspector of Police
Economic Offences Wing -II
Madurai.

2. The Competent Authority
District Revenue Officer,
O/o. District Revenue Officer
Collectorate Building,
Madurai

3. Global Capital Trading Services
Rep. by its Managing Partner
Shri.K.S.Palanichamy,
Door No.359/3, D.D.Road
Arapalayam, Madurai.

4.K.S.Palanichamy

5. P.Bakkialakshmi

6. Ganeshkumar

7. Ramdoss

...Respondents



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PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Judge of TNPID Court, Madurai to dispose the case in C.C. No.11 of 2013 within time frame as fixed by this Court.

For Petitioner : Mr.A.P.Muthupandian
For R-1 : Mr.R.Sivakumar
Government Advocate(Crl.Side)

ORDER

This Criminal Original Petition had been filed to direct the learned Special Judge of TNPID Court, Madurai to dispose the case in C.C. No.11 of 2013 within time frame as fixed by this Court.

2. The learned Government Advocate(Crl.Side) would submit that already this Court had passed order directing the learned Special Judge to club the cases in C.C. No.11 of 2013 and C.C. No.24 of 2013.

3. In both the cases the accused and the Financial Establishment were same. Therefore order was passed directing the learned Special Judge to club both the cases and to dispose the same. Also in the very same order it was directed as such if any acquired by the accused can be attached by



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appropriate order by the learned Special Judge for TANPID Act Cases, Madurai . Subsequently the accused had moved the Hon'ble Supreme Court by way of Criminal Appeal No.919 of 2017 against the said order. Therefore the case records were sent to the Hon'ble Supreme Court for consideration in the Crl.A.No.919 of 2017.

4. The Special Judge of TNPID Court, Madurai in her remarks had stated that the prosecution side witnesses in C.C. No.11 of 2013 including the Investigation Officer is over. Since the other case in C.C. No.24 of 2013 records had been sent to the Hon'ble Supreme Court it will cause delay for disposal. It is to be noted that Crl.R.C(MD) No.250 of 2017 was moved by the accused K.S.Palanichamy. As the Petitioner seeking clubbing of both the cases in C.C. No.11 of 2013 and C.C. No.24 of 2013, at that time this Court had ordered to club both the cases and issued directions to proceed with the examination of witnesses in the earlier case (C.C. No.11 of 2013) After completion of evidence in C.C. No.11 of 2013 the Court can proceed with the case in C.C.No.24 of 2013.



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5. In the light of the change of circumstances, that the prosecution had completed examination of witnesses in C.C. No.11 of 2013, the Special Judge of TNPID Court, Madurai is directed to hear arguments and proceed with the disposal of the case.

6. With the above direction, the Criminal Original Petition is disposed of.

25.11.2022

Internet:Yes./No

Index:Yes/no

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To

1. The Special Judge of TNPID Court, Madurai.
2. The Inspector of Police
Economic Offences Wing -II
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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