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Crl.M.P.Nos.8393 and 8396 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.06.2023

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.M.P.Nos.8393 and 8396 of 2022
in Crl.O.P.Nos.21245 and 21438 of 2019

R.Subramanian

... Petitioner in both petitions

Vs.

The Assistant Registrar of Companies,
Shastri Bhavan,
Chennai – 600 006.

... Respondent in both petitions

COMMON PRAYER: These Petitions have been filed under Section 482 of the Cr.P.C., to recall its order Dated 20.12.2021 in Crl.O.P.Nos.21245 and 21438 of 2019 and restore the same on file and post the matter for final hearing.

For Petitioner : Mr.R.Subramanian
(in both petitions) Party-in-person

For Respondent : Mr.K.Ramamoorthy (CGSC)
(in both petitions)



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COMMON ORDER

WEB COPY These petitions have been filed seeking to recall the order dated 20.12.2021 in Crl.O.P.Nos.21245 and 21438 of 2019 and to restore the same on file and post the matter for final hearing.

2. The petitioner being an Advocate by profession, submits that on the last hearing date when the matter was taken up, he is engaged in other Court i.e High Court of Karnataka, he had given instructions to the representing counsel to sought for time to submit his arguments. Further, the representing counsel could not be clear while making the submissions. So, the Criminal Original petitions are dismissed as no merits. Furthermore, the rejoinder served on the respondent was not placed before this Court. So he want to submit his arguments elaborately with regard to the issue involved in the main OP. Hence, he prays to allow these petitions.

3. The learned Central Government Standing Counsel has raised his objection stated that the petitioner have filed these petitions to drag on the proceedings. Hence, he prays to dismiss these petitions.



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4. Considering the submissions of both sides, according to the petitioner, he wanted to argue the case in detailed, since, because he was not able to argue on the earlier occasion. Therefore, he seeks to one more opportunity to submit his arguments, more particularly, with regard to rejoinder filed by him in Criminal original petitions. Hence, the order dated 20.12.2021 made in Crl.O.P.Nos.21245 and 21438 of 2019 are recalled and the Criminal Original Petitions are restored on file.

5. In view of the above, these Criminal Miscellaneous Petitions are allowed, by restoring the Crl.O.P.Nos.21245 and 21438 of 2019.

22.06.2023

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

msrm

Note:- Registry is directed to list the main case on 05.07.2023, for final hearing.

To

1. The Assistant Registrar of Companies,
Shastri Bhavan,
Chennai – 600 006.

2. The Public Prosecutor,
High Court of Madras.

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T.V.THAMILSELVI, J.

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