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Crl.M.P.Nos.11526, 11527 and 11528 of 2023
in Crl.M.P.Nos.4952 of 2023, 11549 and 12825 of 2021
in Crl.A.Nos.536 & 636 of 2021
and 970 of 2022

SATHI KUMAR SUKUMARA KURUP, J.,

The learned Counsel for the Petitioner had filed Crl.M.P.Nos.4952 of 2023, 11549 and 12825 of 2021 seeking suspension of sentence of the judgment of Conviction passed by the learned Special Judge, Special Court under the TNPID Act cases, Coimbatore. At the time of filing the Crl. A.No.970 of 2021, these Criminal Miscellaneous Petitions were filed to suspend the sentence of imprisonment and to grant bail. Accordingly, this Court by order dated 19.04.2023 had ordered suspension of sentence and granting bail stipulating conditions that the Accused/Appellant had to surrender within three months before the learned Special Judge, Special Court under TNPID Act, Coimbatore, and to execute a bond for a sum of Rs.25,000/- with two sureties for the likesum amount to the satisfaction of the learned Special Judge, Special Court under TNPID Act, Coimbatore. Also, this Court had insisted A3, who is running A1 firm, to pay 20% of the fine amount imposed by the trial Court within two months from the date of



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release. The Petitioner and sureties shall affix their photographs and left thumb impression in the surety bond along with a copy of the Aadhaar Card or any other identity card to the satisfaction of the learned Special Judge, Special Court under TNPID Act, Coimbatore. The appellant was granted time of three months to surrender before the learned Special Judge, Special Court under TNPID Act, Coimbatore.

2.In continuation of the same, this Petitioner filed Crl.M.P.Nos.11526, 11527 and 11528 of 2023 seeking further extension of time. When the learned Counsel for the Appellant seeks extension of time.

3.The learned Additional Public Prosecutor would submit that already the Competent Authority/District Revenue Officer, Tiruppur had attached the assets of the Company and its Directors whereby the value of immovable property worth about Rs.42,00,000/- was available with the District Revenue Officer, Tiruppur. Further, the learned Additional Public Prosecutor submits that on instructions from the District Revenue Officer, Tiruppur that one of the properties' market value is Rs.2 Crores which is identified by the



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Investigation Officer in this case. The District Revenue Officer, Tiruppur, as Competent Authority is duty bound to move Original Application as per the provisions of TNPID Act for attachment and to bring the property to sale. Only after moving Original Application before the Special Court, the properties can be brought to sale by public auction. Therefore, the Competent Authority/District Revenue Officer, Tiruppur, is directed to file Original Application before the TNPID Court, Coimbatore to attach that property that had been identified which is worth more than Rs.2 Crores and to file it at the earliest and to obtain order accordingly. The learned Special Judge, Special Court under TNPID Act, Coimbatore, is directed to proceed with the properties of the Company/A1 and its Directors in continuation of the judgment of conviction recorded in C.C.Nos.15 & 16 of 2014 and CC No.14 of 2023 without further delay. The learned Judge has within his powers to pass orders against Competent Authority/District Revenue Officer concerned for his/her lackadaisical attitude and compliance report to be filed to this Court in CrI.A.No.536 & 636 of 2021 and 970 of 2022.

4.Considering the submission of the learned Counsel for the Petitioner



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in Crl.M.P.Nos.11526, 11527 and 11528 of 2023, the time granted by this Court in Crl.M.P.Nos.4952 of 2023, 11549 and 12825 of 2021, are extended by further three months from the date of receipt of copy of this order or from the date of uploading this order on the website of this Court. The conditions stipulated earlier in Crl.M.P.Nos.4952 of 2023, 11549 and 12825 of 2021 shall be complied scrupulously.

5.Once the trial Court had convicted the Accused, the Accused had no business to intervene on the pretext of settling the dues. The Competent Authority/District Revenue Officer, Tiruppur, is strictly warned not to make any compromise and to do their statutory duties as per the provisions of TNPID Act.

23.08.2023

vsn

Note:Issue Order Copy on 23.08.2023



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