



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

Monday, the Twenty Fourth day of April Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.6776 of 2023
in
CRL A(MD) No.339 of 2023

A.SIVANIAH

... Appellant / Accused

Vs

THE STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
NAGERCOIL,
KANYAKUMARI DISTRICT.
(CRIME NO.15 OF 2002)

... Respondent / Complainant

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to pass an order of Interim Stay of confiscation of properties mentioned in the Judgment in Special case No.3 of 2006 on the file of the Special Judge cum Chief Judicial Magistrate Kanyakumari District at Nagercoil dated 19.01.2023 in V and AC Crime No.15 pf 2002 on the file of the Respondent Police pending disposal of the Criminal appeal.

Prayer in CRL A(MD). 339/ 2023 :

To call for the records pertaining to the Judgment in Special S.C.No.3 of 2006 dated 19.01.2023 Judgment rendered by the Special Judge-cum-Chief Judicial Magistrate, Kanyakumari District at Nagercoil and set aside the same as illegal in respect of confiscation of properties.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.LOUIS S, Advocate for the petitioner and of Mr.R.MEENAKSHI SUNDARAM, Additional Public Prosecutor on behalf of the Respondent, while admitting the Criminal Appeal, the court made the following order:-

When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondent would



Ordinance, 1944, the confiscation could not be initiated, as 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/-
24/04/2023

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/05/2023

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

CSM

To

1.The Special Judge-cum-Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.

2.The Inspector of Police,
Vigilance and Anti Corruption,
Nagercoil, Kanyakumari District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.LOUIS S, Advocate (SR-6441[I] dated 24/04/2023)

ORDER
IN
CRL MP(MD) No.6776 of 2023
in
CRL A(MD) No.339 of 2023
Date :24/04/2023

ED/VR/SAR-2 (02/05/2023) 2P 5C