



Crl.R.C.(MD)No.161 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 23.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C.(MD)No.161 of 2019
and
Crl.M.P.(MD) No.2447 of 2019

A.Maria Lawrence

... Petitioner/3rd party/3rd Party

vs.

1.Lakshwarya Agro India Limited
Rep by its directors
S.Kalimuthu and K.Sakthivel

2.FIC Finance Limited, Mumbai
Represented by the Director,
Leela Galleria

3.Khalique Ahamed
4.Vinayak Seshadri
5.Deepak Banga
6.Imran Habib Patel
7.Sudip Kumar Khanna
8.Devendara Gailad
9.S.Kumadha
10.Sumuitro Deb

... Respondents/ Respondents/accused

11.State through by
The Inspector of Police,
Economic Offences Wing-II,
In Crime No. 2 of 2014,
Dindigul District.

... Respondent/Respondent/Complainant



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PRAYER : This Criminal Revision has been filed under Section 397 r/w 401(1) of Cr.P.C., to call for the records in order passed Cr.M.P.No.2301 of 2017 in C.C.No.17 of 2014 on the files of the learned Special Judge under TNPID Act, Madurai and to set aside the same.

For Petitioner : Mr.N.Sathish Babu

For Respondent : No Appearance (for R1)

Mr.T. Raman (for R4)

Mr. K.Sanjai Gandhi
Government Advocate (Crl.side) (for R11)

ORDER

This Criminal Revision Petition has been filed as against the order passed in Cr.M.P.No.2301 of 2017 in C.C.No.17 of 2014 on the files of the learned Special Judge under TNPID Act, Madurai.

2.The petitioner is one of the victim. While pending trial, the petitioner has filed a petition under Section 319 of Cr.P.C including the proposed accused persons. There are totally 1655 victims/depositors. So far, the prosecution had examined 1168 depositors including the petitioner. Eventhough completing the evidence of the prosecution, the



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petition under Section 319 of Cr.P.C cannot be considered and it is premature. Only after completion of the prosecution evidences, if any incriminating material available as against the proposed accused, the petitioner can very well approach the trial Court to include the proposed accused under Section 319 of Cr.P.C. Therefore, the trial Court has rightly dismissed the petition. Hence, this Court finds no infirmity or illegality in the order passed by the Court below.

3. Accordingly, this Criminal Revision Case is dismissed.
Consequently, connected miscellaneous petition is closed.

23.06.2023

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NCC : Yes/No

Index: Yes/No

Internet: Yes/No

To

1. The Special Judge under TNPID Act, Madurai
2. The Inspector of Police,
Economic Offences Wing-II,
Dindigul District.



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G.K.ILANTHIRAIYAN , J.

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3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

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