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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. No.6219 of 2024
and Crl.M.P. Nos.4550 & 4551 of 2024

Audi Munuswamy

...Petitioner

Vs

State Rep. by: The Income Tax Officer,
Non Corporate Ward 15 (1),
121, Mahatma Gandhi Road,
Chennai – 600 034.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in E.O.C.C.No.394 of 2018 on the file of the Additional Chief Metropolitan Magistrate Economic Offences II, Egmore, Chennai and quash the same.

For Petitioner : Mr.D.Manimaran

For Respondents : No Appearance

ORDER

This criminal original petition has been filed to quash the proceedings in E.O.C.C.No.394 of 2018 pending on the file of the Additional Chief Metropolitan Magistrate Economic Offences II, Egmore, Chennai.



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2. On hearing the learned counsel for the petitioner, it is seen that the petitioner is aggrieved by the order passed by the Court below dated 09.02.2024 to the effect that both the parties must clarify as to why another power agent and principal should not be added as an accused in this case.

3. The learned counsel for the petitioner submitted that by virtue of this order passed, the main defence that was taken by the petitioner is sought to be defeated by the Court below.

4. If the petitioner is aggrieved by the order passed on 09.02.2024, the petitioner should specifically challenge that order and there is no question of challenging the entire proceedings under Section 482 of Cr.P.C., to quash the pending case in E.O.C.C.No.394 of 2018. It cannot be done at this stage, since the trial itself has been concluded and the arguments have also been addressed by both sides. When the above was brought to the notice of this Court, the learned counsel submitted that he will challenge the order dated 09.02.2024 before this Court. Liberty is granted to the petitioner to challenge the proceedings pursuant to the order passed on 09.02.2024.



5.This criminal original petition is disposed of in the above terms. Consequently,
connected miscellaneous petitions are closed.

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Index : Yes/No
Speaking order:Yes/No
Neutral citation:Yes/No
ssr

To

- 1.The Additional Chief Metropolitan Magistrate Economic Offences II,
Egmore, Chennai.
- 2.The Income Tax Officer,
Non Corporate Ward 15 (1),
121, Mahatma Gandhi Road,
Chennai – 600 034.
- 3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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