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CRL A No. 590 of 2017



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL A No. 590 of 2017

1.M/s. Pudhiya Pasumai Poultry Farms

2.M/s. Erode Puthiya Pasumai Poultry
Farms India Pvt. Ltd.

3.Pasumai Paultry Farms

4.Erode Pudhiya Pasumai Poultry Farms

5.G. Subramani

6.C. Gurusamy

.. Appellants

Vs

State rep., by,
The Inspector of Police,
EOW-II,
Erode.
(Crime No.18 of 2012)

..Respondent(s)

PRAYER: Criminal Appeal filed under Section 374(2) of Cr.P.C., to set aside the judgment passed in C.C. No.26 of 2012 dated 17.03.2017 on the file of Special Court for TNPID Act cases, Coimbatore.

For Appellant(s):

Mr. M. Vignesh

For Respondent:

Ms. Sharada Vivek

Government Advocate (Criminal Side)



J U D G M E N T

This Criminal Appeal has been filed challenging the judgment dated 17.03.2017 passed in C.C. No.26 of 2012 on the file of Special Court for TNPID Act Cases, Coimbatore.

2. The appellants 1 to 6 convicted by the trial Court in C.C.No.26 of 2012, by judgment dated 17.03.2017 had filed this appeal. The appellants 1 to 6 were convicted for the offences under Section 420 IPC (167 counts) and Section 5 of TNPID Act (167 counts). Appellants 1 to 4, (accused firms) were sentenced to pay a fine of Rs.2,000/- for each count (167 counts), amounting to Rs.3,34,000/- under each offence, the said fine being payable equally by appellants 5 and 6, with a default sentence of one year rigorous imprisonment. Appellants 5 and 6 were sentenced to undergo rigorous imprisonment for three years under Section 420 IPC and rigorous imprisonment for five years under Section 5 of the TNPID Act, besides payment of a fine of Rs.2,000/- for each count (167 counts), amounting to Rs.3,34,000/- under each offence, with a default sentence of one year rigorous imprisonment. The substantive sentences were directed to run concurrently.

3. The case of the prosecution against the appellants is that A-1, M/s.Pudhiya Pasumai poultry Farms; A2, M/s.Erode Puthiya Pasumai Poultry Farms India Private Limited; A3, M/s.Pasumai Poultry Farms and A4,



M/s.Erode Pudhiya Pasumai Poultry Farms, all having their office at Mettur Road, Erode, are the financial establishments within the meaning of the TNPID Act. A5 and A6, namely, G.Subramani and C.Gurusamy, in furtherance of their common intention, operated A1 to A4 and advertised Poultry Schemes-I and II through daily newspapers, weekly magazines and pamphlets. By making false promises to returns at the rates of 130%, 154% and 156% under the schemes, they induced the public to invest and collected a sum of Rs.1,78,34,340/- from 119 depositors (167 units). However, they failed to repay the deposits. Hence, they were charged for the offences under Section 420 IPC and Section 5 of the TNPID Act.

3.1. During trial, the prosecution examined P.W.1 to P.W.112 and marked Exs.P.1 to P.423. On conclusion of the trial, the trial Court convicted the appellants as stated above. Aggrieved by the said conviction and sentence, the appellants have preferred the appeal.

4. When the appeal was taken up for final hearing on 15.07.2026, the learned counsels submitted that A1 to A4 are firms / company and A5 and A6 were the persons in-charge and responsible for the affairs of A1 to A4. It was further submitted that A5 and A6 are no more. The same is extracted hereunder:

“The learned counsel for the appellants submitted that both the appellants 5 and 6 are no more and the same was represented to this Court on 12.08.2024, which was recorded in the adjudication. He further submitted that in this case the appellants



1 to 4 are companies and appellants 5 and 6 are their only Directors.

2. Today, the learned Government Advocate produced the death certificate of 5th appellant-G.Subramani in which it was recorded that G.Subramani died on 21.05.2022 in Coimbatore Medical College Hospital. Further it was recorded that at the time of death the said Subramani was an inmate of Central Prison, Coimbatore.

3. The learned Government Advocate also produced the death certificate of 6th appellant-C.Gurusamy in which it was recorded that C.Gurusamy died on 01.09.2017 in Coimbatore Medical College Hospital. It was also recorded that at the time of death the said Gurusamy was an inmate of Central Prison, Coimbatore.”

5. Thereafter, this Court directed the Government Advocate to verify the status of A5 and A6. Pursuant to the said direction, the learned Government Advocate submitted that A5 and A6 had died in prison and confirmed the same. She further submitted that A1, A3 and A4 are unregistered firms, whereas A2, M/s.Erode Puthiya Pasumai Poultry Farms India Pvt. Ltd., is a company registered with the Registrar of Companies, Coimbatore. It was further submitted that a report has been collected on 21.07.2026, wherein it reveals that the said company also struck off from the Register of Companies. The memo filed by the respondent is extracted hereunder:

“I, N.Maheswari, W/o.Panneerselvam, now working as the Inspector of Police, Economic Offences Wing Erode do solemnly affirm and sincerely state as follows:-

1. It is submitted that, I am working as Inspector of Police, EOW, Erode, Erode District, and the respondent herein and as



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such I am well acquainted with the facts and circumstances of the case, based on the records available, I am filing this memo on Suspension of the Sentence petition filed by the appellant / accused before this Hon'ble High Court.

2. It is submitted that, in the mean time Petitioner / Appellant A6 Gurusamy was died on 01.09.2017 at Central Prison, Coimbatore. And Petitioner/Appellant A5 Subramaniam S/o Gurusamy (A6) was died on 21.05.2022 at Central Prison, Coimbatore. The Appellant/A5 and A6 were Father and Son.

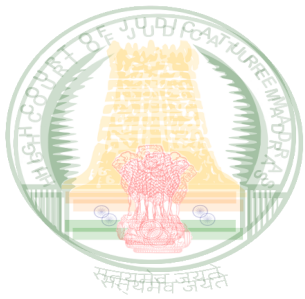
3. It is submitted that, this case came up for hearing before the Hon'ble Court on July 15, 2026. The Hon'ble Court directed to file a memo regarding functioning of the companies (ROC U01222TZ2012PTC018643 DT.14.08.2012). An enquiry of the accused company revealed that it is currently not in operation (Strike Off)."

6. Thus, from the above, it is clear that nothing survives for further adjudication in the present appeal. Accordingly, this Criminal Appeal stands dismissed as abated.

7. It is made clear that the attachment proceedings and other proceedings initiated for the benefit of the depositors, the same can proceed and the depositors shall be entitled to repayment from the attached properties or the amount secured, and further property to be attached and secured.

22-07-2026

Neutral Citation: Yes/No
AT



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CRL A No. 590 of 2



M.NIRMAL KUMAR, J.

AT

To

1.The Special Court for TNPID Act cases,
Coimbatore.

2.The Inspector of Police,
EOW-II,
Erode.

3.The Public Prosecutor,
High Court, Madras.

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