



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2015

CORAM:

THE HONOURABLE Mrs.JUSTICE S.VIMALA

Crl.R.C. (MD) No.273 of 2015

R.Krishnan

... Petitioner/Petitioner/Defacto
Complainant

Vs.

1.Murugeswari

2.Kannan

3.Vadivel

... Respondents/Accused No 1 to 3

4.The Inspector of Police,

Vadipatti,

Madurai District.

Cr.No.183/15

...4th Respondent/Complainant

PRAYER: This Criminal Revision Case is filed under Section 397 and 401 of Cr.P.C., against the order passed by the District Munsif cum Judicial Magistrate, Vadipatti, Madurai District in Crl.M.P.Nos.3705 to 3707 of 2015, dated 29.05.2015.

For Petitioner : Mr.V.Kathirvelu, Senior Counsel for
K.Prabhu

For Respondents : No appearance for R1
Mr.M.Meenal Pandian for R2 and 3
Mr.P.Kandasamy, G.A.(Crl.side) for R4

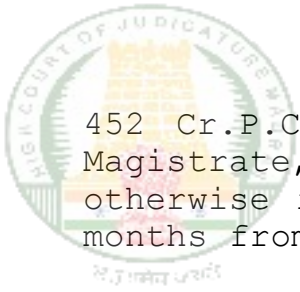
ORDER

Applications in Crl.M.P.Nos.3705 to 3707 of 2015 have been filed by the de facto complainant / petitioner, seeking direction to the District Munsif cum Judicial Magistrate, Vadipatti, to return the cash of Rs.40 lakhs.

2.The accused persons have also made a counter claim, stating that the money belongs to them and that it must be returned to them. Both the applications have been dismissed by the learned Judicial Magistrate.

3.It is represented by the learned Government Advocate (Crl.side) appearing for the fourth respondent that already charge sheet has been filed and there are only 10 witnesses, who could be examined within a specified time frame to be fixed by this Court.

4.Considering the rival claim made, this Court feels it appropriate to direct the Magistrate to complete the trial itself so that any order for return of property can be passed under Section



452 Cr.P.C. Therefore, the learned District Munsif cum Judicial Magistrate, Vadipatti is directed to take the case on file, if it is otherwise in order, and complete the trial within a period of two months from the date of receipt of copy of this order.

5. The Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The District Munsif cum Judicial Magistrate,
Vadipatti, Madurai District.
 2. The Inspector of Police,
Vadipatti, Madurai District.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- + 1 CC TO MR.K.PRABHU, ADVOCATE SR NO.43892
- + 1 CC TO M.MEENAL PANDIAN, ADVOCATE SR NO. 44322

NBJ

TE:18/08/2015 : 2P/6C

Cr1.R.C. (MD) No.273 of 2015
04.08.2015