



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2015

CORAM

THE HONOURABLE MS.JUSTICE R.MALA

Cr1.O.P (MD) No.185 of 2011

and

M.P. (MD) .No.2 of 2011

- 1.Sivarama Subramanian
- 2.Rajam
- 3.R.S.Arumugam
- 4.Muthukumar

... Petitioners

Vs.

- 1.The State represented by
The Inspector of Police,
Economic Offences Wing-II,
Tirunelveli,
Tirunelveli District.
(Crime No.9 and 10 of 2003)

- 2.Dhanalakshmi
(R2 impleaded as per order of this Court dated 03.02.2011
in M.P(MD).No.1 of 2011)

... Respondents

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure, to merge the cases in C.C.Nos.3 to 12 of 2005 pending on the file of the learned Chief Judicial Magistrate, Tirunelveli, Tirunelveli District into the case in C.C.No.101 of 2008 pending on the file of the learned Special Judge for TNPID Act Cases, Madurai for the purpose of further adjudication and consequently direct the above said learned Special Judge to deal with the same in accordance with law as a single calender case.

For Petitioner : Mr.R.Anand
Senior Counsel
For R1 : Mr.K.Anbarasan
Govt. Advocate (Cr1.Side)
For R2 : No appearance

ORDER

The petitioner has come forward with this petition to merge the cases in C.C.Nos.3 to 12 of 2005 pending on the file of the learned Chief Judicial Magistrate, Tirunelveli, Tirunelveli District into the case in C.C.No.101 of 2008 pending on the file of the learned Special Judge for TNPID Act Cases, Madurai for the purpose of further adjudication and consequently, direct the above said learned Special Judge to deal with the same in accordance with law as a single calender case.



2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the first respondent.

3. This application has been filed in the year 2011. The first respondent has filed a status report, which would show that the petitioner had registered a non banking financial institution with the Registrar of Companies, Chennai in the name and style of Sri Vidyalakshmi Chit Fund (P) Ltd., and collected various kinds of deposits from 16 innocent depositors and defrauded the depositors to the tune of Rs.53,30,000/-, so on the basis of complaint, a case in Crime No.9 of 2003 has been registered and charge sheet has also been filed, which was taken on file as C.C.No.101 of 2008 on the file of the TNPID court, Madurai. Similarly, in respect of cheating of 23 innocent subscribers to the tune of Rs.9,50,556/-, a case in Crime No.10 of 2003 has been registered and final report has also been filed, which was taken on file in C.C.Nos.3 to 12 of 2005 on the file of the learned Chief Judicial Magistrate, Tirunelveli. Now, in both the cases, were posted for arguments on 26.08.2015 and 02.09.2015 respectively.

4. In view of the above facts, since the cases are posted for arguments, this Court is not inclined to grant the relief sought for by the petitioner in the petition, at this stage. Hence, this petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Per.Admn)

/True Copy/

Sub Assistant Registrar

To

1. The Special Judge for TNPID court,
Madurai.
2. The Chief Judicial Magistrate,
Tirunelveli.
3. The Inspector of Police,
Economic Offences Wing-II,
Tirunelveli,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

NS

TE/SKS-RR/SAR(J) 14/09/2015 2P/5C