

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1022 of 2016

M.Vivek

... Petitioner

Vs

1.Competent Authority and
District Revenue Officer,
Coimbatore.

2.Superintendent of Police,
EOW, Chennai.

3.Deputy Superintendent of Police,
EOW-II, Chennai.

... Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. to direct the respondents not to harass the petitioner
and not to disturb the possession of the properties.

For Petitioner : Mr.R.Vivekananthan

For respondents: Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to
direct the respondents not to harass the petitioner and not to
disturb the possession of the properties.

2. In the petition, it has been stated that a case was
registered against the petitioner by the 3rd respondent for the
alleged offences under Sections 120B, 406, 419, 420, 471 IPC
r/w 468 IPC and Sections 4, 5 and 6 of Price Chit and Money
Circulation (Banning) Act, 1978 and Sections 5 of the Tamil
Nadu Protection of Interests of Depositors (In Financial
Establishments) Act 1997. On completion of investigation, the
3rd respondent police has filed a charge sheet against the
petitioner and others before the learned Special Judge
constituted for the Tamil Nadu Protection of Interest of
Depositors (In Financial Establishments) Act 1997, Coimbatore

and the same was taken on file in C.C.No.15 of 2013 and the same is pending for trial before the learned Special Judge, Coimbatore. While so, the 1st respondent was appointed as competent authority to control over the property attached by the Government under Section 3 of the Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act 1997 and some of the properties were attached by the Competent authority under the said Act. Now the respondents are interfering with the peaceful possession of the properties belonged to the petitioner and tried to take the actual possession of the properties by threatening the tenants residing thereon. Hence the petitioner has come forward with the present Criminal Original Petition.

3. When the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that it is absolutely incorrect to state that the respondents are harassing the petitioner and disturb the peaceful possession of the properties. The petitioner is called by the respondents only for the purpose of enquiry and absolutely there is no intention to harass the petitioner.

4. In view of the submission made by the learned Additional Public Prosecutor, I am of the opinion that there is no need to give any specific direction to the respondent as prayed for in the petition. Hence, recording the submission of the learned Additional Public Prosecutor, this criminal original petition is dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vsm

To

- 1.Competent Authority and
District Revenue Officer, Coimbatore.
 - 2.Superintendent of Police, EOW, Chennai.
 - 3.Deputy Superintendent of Police, EOW-II, Chennai.
 4. The Public Prosecutor,
High Court, Madras.
- + 1 cc to M/s. R. Vivekananthan, Advocate SR.5808

Cr1.O.P.No.1022 of 2016

RSI(CO)
Eu 18.02.16