

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.15794 of 2016

M.Murugan

..Petitioner

Vs.

1.The Superintendent of Police
Economic Offence Wing-II
SIPCOT, Guindy
Chennai 600 032.

2.The Deputy Superintendent of Police
Economic Offence Wing-II
Kancheepuram
Kancheepuram District.

3.The Inspector of Police
Economic Offence Wing-II
Kancheepuram
Kancheepuram District.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 3rd respondent police to register a case on the basis of the petitioner's complaint dated 21.06.2016 and proceed in accordance with law by taking action by attaching the property of the Company i.e., M/s Winners Agri World Pvt. Ltd as per Sec.3 of the Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997.

For Petitioner : Mr.M.P.Saravanan

For Respondents : Mr.C.Emalias,
Addl.Public Prosecutor

ORDER

This petition has been filed to direct the 3rd respondent police to register a case on the basis of the petitioner's complaint dated 21.06.2016 and proceed in accordance with law by taking action by attaching the property of the Company i.e., M/s Winners Agri World Pvt. Ltd. as per Sec.3 of the Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. When the matter was taken up for hearing, learned Additional Public Prosecutor submitted that on the complaint given by one G.Srinivasan, the third respondent police have registered a case in Cr.No.1 of 2016 on 01.04.2016 u/s 406, 420 and 120-B IPC r/w Section 5 of Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997 against one Sridhar and Nagaraja, who were running "M/s Winners Agri World Pvt. Ltd."

4. Learned Additional Public Prosecutor submitted that this petitioner also has invested Rs.26,700/- in the said Company and that when he was called twice for enquiry, he did not appear.

5. Once an FIR has been registered, it is not open to the police to register a second FIR, based on the complaint given by the petitioner. The petitioner is directed to co-operate in the enquiry and the police shall record statement u/s 161 (3) Cr.P.C. and take effective action against the accused, like attaching the properties of the financial establishment, as provided under the Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997.

With the above direction, this petition is closed.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

1.The Superintendent of Police
Economic Offence Wing-II
SIPCOT, Guindy
Chennai 600 032.

2.The Deputy Superintendent of Police
Economic Offence Wing-II
Kancheepuram
Kancheepuram District.

3.The Inspector of Police
Economic Offence Wing-II
Kancheepuram Kancheepuram District.

4.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.M.P.Saravanan,advocate,sr.47757.

ppa(co)

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