

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.17228 of 2016

M.Nagaraja

... Petitioner

Vs

1.The Director General of Police,
Tamil Nadu Police,
Kamarajar Salai,
Mylapore, Chennai-4.

2.The Additional Director General of Police,
O/o.The Addl. Director General of Police,
Economic Offences Wing,
Guindy, Chennai-32.

3.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

4.The Superintendent of Police,
Economic Offence Wing-II,
Guindy, Chennai-32.

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

6.The Inspector of Police,
Chengalpup Town Police Station,
Chengalput, Kancheepuram District.

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

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 7th respondent to register a case on the basis of the petitioner's complaint dated 09.12.2015 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 Petitioners : Mr.A.Ilaya Perumal
For Respondents : Mr.C.Emalias, APP

O R D E R

This petition has been filed to direct the 7th respondent to register the petitioner's complaint dated 09.12.2015 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; learned Additional Public Prosecutor appearing for the respondents and perused the materials placed on record.

3. On the complaint lodged by one Srinivasan, the 7th respondent Police registered a case in Crime No.1 of 2016 on 01.04.2016 for offences under Section 406, 420, 120B IPC r/s Section 5 of the Tamil Nadu Protection of Interests of Depositors [in Financial Establishments] Act, 1997, against Sridhar [A1], Nagaraja [A2], who is the petitioner herein. It is the case of the prosecution that Nagaraja and Sridhar were running a financial establishment in the name of M/s.Winners Agri World Pvt. Ltd. and they had collected deposits and cheated various persons. Under such circumstances, Nagaraja has lodged the present complaint dated 09.12.2015, in which, he has alleged that he himself is a depositor in M/s.Winners Agri World Pvt. Ltd. It appears that this complaint is a counter blast for the action taken by the Police.

4. However, the 7th respondent Police is directed to enquire into the complaint of Nagaraja along with Crime No.1 of 2016 and if it is found that Nagaraja is not involved in the offence in Crime No.1 of 2016 and that he is also a victim, it is needless to state that the prosecution against him could be dropped, otherwise the prosecution shall continue.

With the above direction, this petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To
1.The Director General of Police,
Tamil Nadu Police,
Kamarajar Salai,
Mylapore, Chennai-4.

2.The Additional Director General of Police,
O/o.The Addl. Director General of Police,
Economic Offences Wing,
Guindy, Chennai-32.

3.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

4.The Superintendent of Police,
Economic Offence Wing-II,
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Economic Offence Wing-II,
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6.The Inspector of Police,
Chengalpurt Town Police Station,
Chengalput,
Kancheepuram District.

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

8.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Ilayaperumal, advocate,sr.46474.

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krd 19/8

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सत्यमेव जयते

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