

WP No.15811 of 2013

The Hon`ble The CHIEF JUSTICE
and
The Hon`ble Mr Justice R. MAHADEVAN

D.ASHOK KUMAR,
ADVOCATE, NO.134, SECOND FLOOR, THAMBU
CHETTY STREET, CHENNAI-1.

Vs

STATE OF TAMILNADU
REP. BY ITS SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, FORT ST. GEORGE,
CHENNAI-9. and 5 others.

Status report has been filed by the 5th respondent.

2. Learned counsel for the petitioner refers to paragraph-3 of the status report to submit that though the charge sheet was filed as far back as on 30.06.2014, the case is still at the committal stage and listed on 09.09.2016. The reason for this is that non-bailable warrant against the accused 3 to 34 still have not been executed.

3. There is merit in the contention of the petitioner that at the stage of investigation, these accused would have been identified and details obtained. Thus, it is unacceptable that now it is being pleaded that police is unable to arrest the accused. We thus call upon the police to take appropriate steps to arrest the accused and the learned Judicial Magistrate-I, Tindivanam who has taken the case on file in PRC.NO.23 of 2014 on 30.06.2014 shall send a status report to this court.

4. The second aspect pointed out by the learned counsel for the petitioner is that the relief amount sanctioned is uniform of two different figures -- either 1,20,000/- or Rs.15,000/-. He submits that the claims made are of varied amounts as would be apparent from paragraph-13 of the petition and some of the sufferers have lost more than others. We are thus of the view that insofar as the larger claims are concerned, the matter be looked into, if those claimants are able to produce the documents to substantiate higher amount of loss.

5. The aforesaid aspect should also be looked into by the respondents.

6. The Judicial Magistrate`s report be obtained to be placed before the Court on the next date of hearing.

List on 2nd December, 2016.

[CJ] [R M D J]

29/08/2016

KSR