



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

CRL.RC (MD) Nos.310 & 311 of 2016

S.Veeramani

... Petitioner / Accused No.5
in Crl.R.C.(MD) No.310 / 2016

Chinnasamy

... Petitioner / Accused No.4
in Crl.R.C.(MD) No.311 / 2016

-vs-

The State, rep.by
The Inspector of Police
E.O.W-II
Theni District

... Respondent in both revisions

PRAYER (in Crl.R.C.(MD) Nos.310 and 311 of 2016): Criminal Revision Petition is filed, under Section 397 r/w 401 Cr.P.C., to call for the records connected with the order, dated 15.10.2015 in Cr.M.P.No.266 and 265 of 2015, respectively on the file of the Hon'ble Special Court under the Tamilnadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997 and set aside the same, consequently to direct the Hon'ble Special Court under the Tamilnadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997 to return back the rupees 25000/- deposited by the petitioners as security for bail with accrued interest within the time stipulated by this Court.

For Petitioner: Mr.R.Alagumani
(in both revisions)

For Respondent: Mrs.S.Prabha
(in both revisions) Govt. Advocate (Crl.Side)

C O M M O N O R D E R

Since these criminal revision petitions are connected on facts, they are tagged together, heard together and are being disposed of together.

2. The revision petitioners, who are now ex-accused, because of the quashment of F.I.R., as against them, seek return of the rupees 25000/- deposited by each of them, before the learned Special Judge for TNPID Cases, Madurai, as per the bail order passed by the learned Special Judge under Tamil Nadu Protection of



Interests of Depositors Act, 1997, Madurai, vide Order dated 11.07.2011 in Cr.M.P.No.1654 of 2011, seeks return of money to them.

3. I have heard the learned counsel for the revision petitioners and the learned Government Advocate (Criminal Side) for the respondent and perused the impugned orders and also the materials on record.

4. The revision petitioners are now no longer accused, because the F.I.R., as against them has been quashed. So, in the criminal case, they have become free men. While they were accused, each of them deposited Rs.25,000/- as per the bail order passed by the learned Special Judge.

5. The contention of the learned counsel for the revision petitioners that there is a possibility of taking steps to make interim attachment of the property. But, there is no concrete material. Even then, they are seized to be accused. So, they are entitled to return of the amount deposited by them in the Court.

6. In the circumstances, ordered as under:

- (i) The revisions are allowed.
- (ii) The impugned orders, dated 15.10.2015, passed in Cr.M.P.Nos.265 and 266 of 2015, by the learned Special Judge, under the Tamilnadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai, are set aside.
- (iii) The learned Special Judge is directed to return the amount of Rs.25,000/- deposited by each of the petitioners in Cr.M.P.No.1654 of 2011.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub-Assistant Registrar

To:

1. The Special Judge, Under the Tamilnadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai.
 2. The Inspector of Police, E.O.W-II, Theni District.
 3. The Government Advocate (Criminal Side),
Madurai Bench of Madras High Court,
Madurai.
- +2ccs to Mr.R.Alagumani, Advocate, SR.Nos.30719 and 30718
krk
RL/6C/2P/DB/29/6/2016