

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2017

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM
Cr1.R.C.No.256 of 2014

1. Senthil Kumar
2. Sheela Senthil Kumar

.. Petitioners

vs.

1. The State Rep. by
The Inspector of Police,
Economic Offences Wing - II,
Coimbatore
(in Crime No.6 of 2012)

2. A.Mani
3. P.Kumaravel
4. K.Saroja
5. S.Jaheer Hussain
6. Jeyaraman
7. K.Sasikala
8. R.Eswari
9. S.Vasanthi
10. J.Prithiviraj
11. A.Sivaram
- 12.. V.Nataraj
13. N.Krishnasamy
14. Y.Muthalif @ Abdul Muthalif
15. N.Jothimani
16. T.Maruthamuthu
17. Saravana Goundar
18. K.Mageswari
19. M.R.Arumugam
20. M.Krishnasamy
21. A.Jothimani
22. K.Muthukumarasamy
23. S.Annalakshmi
24. E.Manoranjitham
25. P.Subhramaniam
26. R.Jagdeeswaran
27. P.Thangavel
28. R.Seerangasamy
29. R.Appachiyappan
30. K.Subramanaiyam
31. P.Duraisamy

32. K.Kalimuthu
33. V.Sarbudin
34. S.Mokkaraasu
35. R.Sivamanickam
36. S.Nagarajan
37. V.Ramathal
38. M.Senthil Kalidas
39. N.Revathy
40. A.Bhuvaneswari
41. R.Amutha
42. V.Panjavarnam
43. L.Alagarsamy
44. R.Navaneetham
45. R.Dundotharan
46. M.Thirumalaisamyh
47. S.Mageshwari
48. A.Sivasundara Vadivel
49. G.Seenivasan
50. R.Amirtham
51. V.Balamai
52. N.Muthunaickam
53. K.M.Jeganathan
54. R.Devi Rajendran
55. A.Sivakumar
56. M.Shanmugavel
57. N.Rajasekaran
58. M.Kittusamy
59. P.Nataraj

(Respondents 2 to 59 were impleaded as per the order of this Court dated 31.07.2015 made in M.P.No.1 of 2015 om CrI.R.C.256 of 2014) .. Respondents

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the order of the learned Special Judge (TNPID Act), Coimbatore dated 28.01.2014 in CrI.M.P.No.1830 of 2013 in C.C.No.16 of 2013 and to set aside the same.

For Petitioners : Mr.A.Gokulakrishnan

For Respondent : Mr.Mohammed Riyaz
Government Advocate - R1

Mr.T.Gowthaman - R2 to 59

O R D E R

This revision has been preferred against the dismissal of petition for discharge by learned Special Judge, TNPID Act, Coimbatore dated 28.01.2014 in CrI.M.P.No.1830 of 2013 in

C.C.No.16 of 2013, wherein petitioners/A2 and A3 are charged of offences under sections 120B, 406, 420 of IPC and Section 4 of Tamilnadu Protection of Interest of depositors (In the Financial Establishment) Act 1997.

2. Pursuant to completion of investigation in Crime No.6 of 12 on the file of the respondent and filing of final report under section 173(2) Code of Criminal Procedure informing commission of offences under section 120(B), 406, 420 of IPC and Section 5 of the Tamilnadu Protection of Interest of depositors (In the Financial Establishment) Act 1997, case is pending trial in C.C.No.16 of 2013 on the file of learned Special Judge for Cases under TNPID Act, Coimbatore. Petitioners/A2 and A3 sought discharge in CMP.No.1830 of 2013 and such petition was dismissed by the learned Special Judge under Order dated 28.01.2014. Challenging the same, the present revision has been filed.

3. Heard learned counsel for petitioners and learned counsel for respondents.

4. Pending revision, the matter has been referred to mediation and the report of the Tamilnadu Mediation and Conciliation Centre, High Court, Madras dated 04.07.2016 informs a scheme of arrangement between the petitioners and 45 complainants/depositors. Learned counsel for petitioners submit that the claim of the other depositors had been settled even before taking of the case on file.

5. In the aforesaid circumstances, it is considered proper to dispose of this revision with a direction to learned Special Judge to consider the settlement agreed upon between the petitioner and 45 depositors, pendency of other claims, if any and the applicability of Section 5 of TNPID Act. The original mediation report dated 16.09.2015 shall be forwarded to court below and a copy of the same shall form part of records in this revision. Accordingly, this revision is disposed of.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

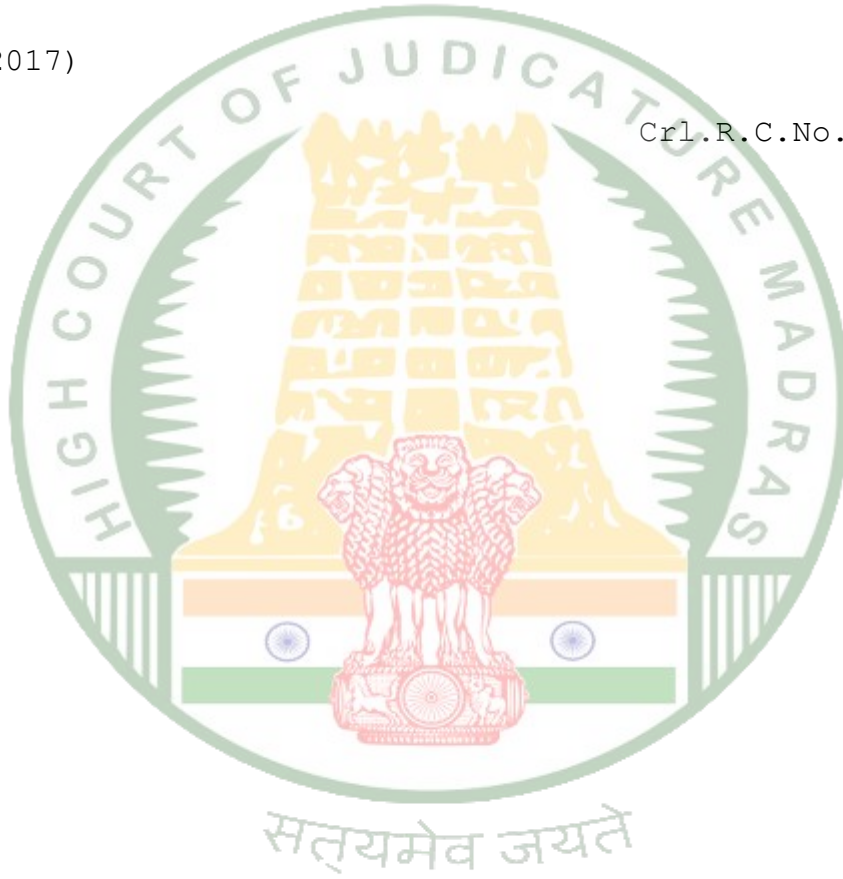
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To

1. The Special Judge
for Cases under TNPID Act,
Coimbatore.
2. The Inspector of Police,
Economic Offences Chief - II
Coimbatore.

RS (CO)
RS (23/03/2017)

Cr1.R.C.No.256 of 2014



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