

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.R.C.No.76 of 2017

R.Sivakumar
Petitioner

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Vs

1. State rep. By
The Inspector of Police,
Central Crime Branch,
Egmore, Chennai-600 008
(Cr.No,433 of 2010)

2. S.Mohana

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Respondents

Prayer:- Criminal Revision filed under Section 397 r/w 401 of Cr.P.C., to set aside the order dated 06.06.2014 passed in Crl.M.P.No.2727 of 2014 on the file of XI Metropolitan Magistrate, Saidapet, Chennai.

For Petitioner : Mr.K.Krishnan

For R1 : Mr.R.Ravichandran,
Gov. Adv. (Crl. Side)

For R2 : Mr.K.Harikrishnan

सत्यमेव जयते
ORDER

The petitioner is an accused in Cr.No.433 of 2010 on the file of the first respondent police for the offences under Sections 420 and 34 of I.P.C.

2. It is the case of prosecution is that the petitioner is doing online trading and lured the investors to deposit money and collected more than Rs.1,39,10,000/- from 18 depositors and failed to repay the amount. During investigation, a sum of Rs.10,00,000/- has been seized from the petitioner. The petitioner/accused filed the petition seeking to return the money. The trial Court dismissed the petition. Aggrieved by the same, the petitioner is before this Court with this

Revision.

3. The respondent filed counter affidavit stating that the petitioner, during the enquiry, admitted the collection of amount from various depositors and he alone handed over Rs.10,00,000/- to the respondent police and the same was seized by the respondent police and the same was also handed over to the Jurisdictional Magistrate Court. The petitioner is an accused and during investigation, he has also admitted receipt of deposits hence, there is no scope for return of the amount pending investigation.

4. After considering all the facts, the trial Court dismissed the application. I find no irregularity in the order passed by the trial Court. Hence, this Criminal Revision Petition is dismissed. The respondent police is directed to complete the investigation and file a final report within three months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmi

To

1. The XI Metropolitan Magistrate Court,
Saidapet, Chennai.
2. The Inspector of Police,
Central Crime Branch,
Egmore, Chennai-600 008.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Krishnan, Advocate, S.R.No.15440

+1cc to Mr.Harikrishanan, Advocate, S.R.No.15464

Cr1.R.C.No.76 of 2017

RK(CO)
RS(03/04/2017)