

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2017

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM
Crl.R.C.No.397 of 2016

Kunal Ishwarchand Tater

.. Petitioner

vs.

1. The State Rep. by
The Inspector of Police,
Central Crime Branch,
Vepery, Chennai - 7.
(in Crime No.352 of 2015)

2. A.Esakiammal

3. Sri Muthumariamman Kovil Nirvagaha
Arangavalar Kuzhu,
rep. by is President P.Kamaraj,
Amman Koil Street,
Puthantharuvai, Santhakulam,
Thoothukudi District
P.C. 628 656.

.. Respondents

Criminal Revision filed under Section 397 r/w 401 Cr.P.C.
against the order of the learned III Metropolitan Magistrate,
George Town, Chennai dated 17.02.2016 in Crl.M.P.No.1974 of 2015
in Crime No.352/15 and to set aside the same.

For Petitioner : Mr.T.G.Ravichandran

For Respondent : Mr.Mohammed Riyaz

Government Advocate - R1

Mr.M.Palaninathan - R2

No appearance - R3

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O R D E R

Case in Crime No.352 of 2015 has been registered for
offences under section 406, 408 and 420 of IPC and on
investigation, the respondent police has frozen the bank
accounts of the second and third respondents.

2. Petitioner informing himself to be partner of the defacto complainant concern namely M/s. Exim Consultants, has sought direction seeking payment of the sums lying to the credit of the frozen account of the petitioner. On dismissal of petition under challenge dated 17.02.2016, petitioner has filed the present revision.

3. Heard learned counsel for petitioner and learned counsel for first and second respondents.

4. Pending revision, the matter has been referred to Tamilnadu Mediation and Conciliation Centre, High Court, Madras. Pursuant to proceedings therein, following has been agreed upon on 16.02.2017 :

"1. The petitioner agree to withdraw the case against the second respondent namely A.Esakiamml pending on the Inspector of Police, Central Crime Branch, Vepery, Chennai - 8 in crime No.*352/2015 and also withdraw all the cases against the second respondent before Hon'ble Court.

2. The 2nd respondent accepted to release the disputed amount in favour of the petitioner."

5. In the aforesaid circumstances, this Criminal Revision stand closed. The mediation report dated 16.02.2017 shall form part of records in this revision.

02/03/2017

For being mentioned

This matter having been listed under the caption 'for being mentioned' on friday the 21/04/2017 pursuant to the order of this court dated 02/03/2017 and made herein in the presence of the aforesaid counsels on eitherside, the court made the following order:

Today, the matter is listed under the caption "for being mentioned" at the instance of learned counsel for petitioner.

2. Heard learned counsel for petitioner.

3. This Court clarifies that under the order dated 02.03.2017, the sums payable to the petitioner are as follows:

Sri Muthuraman Koil Nirvaga Trust A/c.No.30100050306941 of Tamilnadu Mercantile Bank, Tisayanvilai branch, Tirunelveli district amount of Rs.89,91,021/- and A/c.No.603105500829, ICICI Bank, Sowcarpet branch, Chennai amount of Rs.15,95,000/-.

This Court accordingly directs Tamilnadu Mercantile Bank, Tisayanvilai branch, Tirunelveli district and ICICI Bank, Sowcarpet branch, Chennai to effect payment out of the sums held in deposit to the petitioner.

Sd/-

Assistant Registrar(CS-VI)

Dated:08/03/2017

*Corrected as per Letter
Dated 04.04.2017

Sd/-

Assistant Registrar(CCC)

Dated:11/04/2017

-s/d-

Assistant Registrar(CSIII)

dt:26/04/2017

True Copy

Sub-Assistant Registrar

vrc

To

1. The III Metropolitan Magistrate,
George Town,
Chennai. | To be substituted the
order already despatched
on 15/03/2017
2. The Inspector of Police,
Central Crime Branch,
Vepery, Chennai - 7.
3. The Public Prosecutor
High Court Madras
4. The Tamil Nadu Mercantile bank
Tisayanvilai Branch
Tirunelveli District
5. ICICI Bank
Sowcarpet Branch
Chennai

+2 cc to Mr.P.Palaninathan Advocate *sr 24497 (28/4/2017)

+1 cc to Mr.T.G.Ravichandran Advocate sr *24605

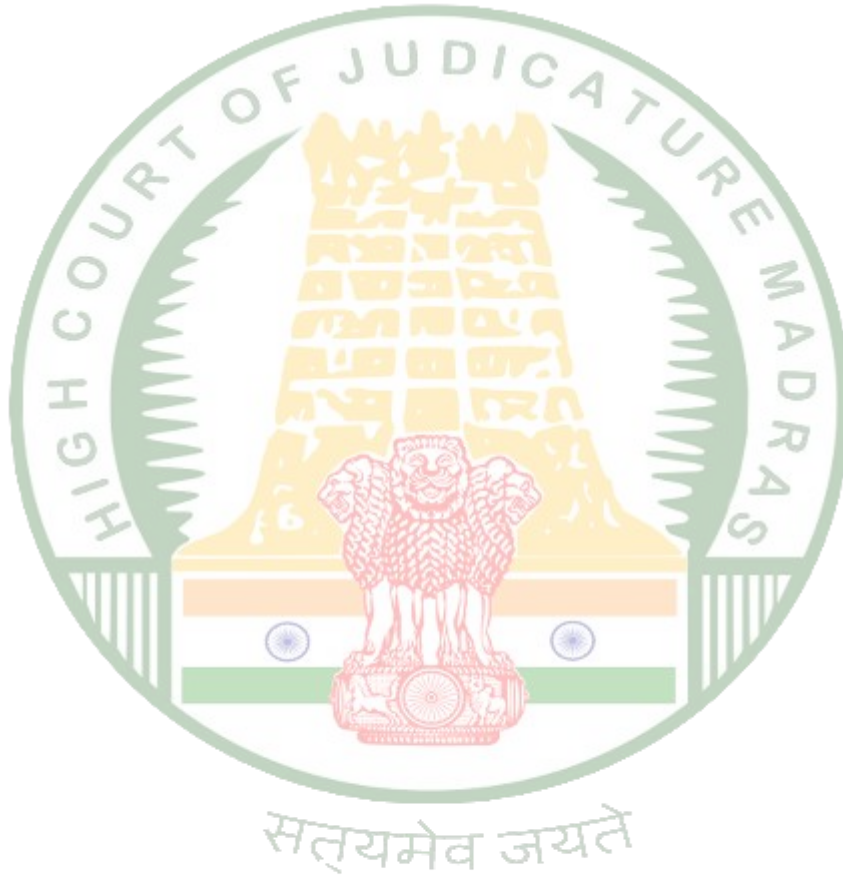
+1 cc ot Mr.S.Kumaresan Advocate sr 13765

Cr1.R.C.No.397 of 2016

aa08/03/2017

srg 11/04/2017

aa26/04/2017



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