



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2017

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THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

CrI.O.P.(MD) No.14675 of 2016

Parvathi : Petitioner/De-facto complainant

-vs-

1. The State represented by
Deputy Superintendent of Police,
Economic Offences Wing-II,
Madurai District.

2. The Inspector of Police,
Economic Offences Wing-II,
Madurai District.

: Respondents/Complainants

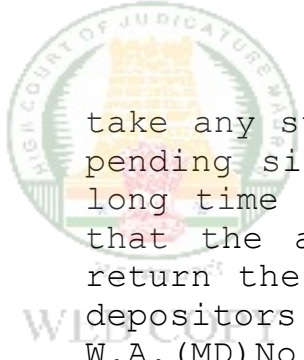
Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to direct the learned Special Court for TANPID Act Cases, Madurai, to proceed the case in C.C.No11 of 2015 on the file of the learned Special Court under TANPID Act cases, Madurai and dispose the case within a time frame fixed by this court.

For Petitioner : Mr.N.Mohideen Basha for
Mr.R.Karunanidhi
For Respondents : Mr.B.Pugalendhi
learned Additional
Advocate General
assisted by Mr.K.Anbarasan
Government Advocate
(Criminal side)

O R D E R

This petition has been filed to direct the Special Court for TANPID Act Cases, Madurai to proceed the case in C.C.No11 of 2015 and dispose the caes within a time frame.

2.The learned counsel appearing for the petitioner would submit that the case registered in Crime No.4 of 2014 was taken on file in C.C.No.11 of 2015 on the file of the Special Court for TANPID Act Cases, Madurai and that the respondent police did not



take any steps to complete the trial expeditiously and the case is pending since 2014 and the victims are waiting for justice for a long time and that the final report filed, in this case, revealed that the accused persons cheated the investors and defaulted to return the deposit amount to the tune of 46,63,54,763/- from 2777 depositors and that at the time of hearing of the Writ Appeal in W.A.(MD)No.1267 of 2014 as well as in the anticipatory bail applications, the accused persons and the associates have promised to settle the amount to the depositors and subsequently, the Government issued G.O.(D)32 Home (Police XIX) Department, dated 14.01.2015 pursuant to the court order made in W.A.(MD)No.1267 of 2014, but the respondent did not initiate any action after passing of twenty months for returning the money to the investors and hence, the petitioner having left with no other remedy except to approach this court by way of filing this petition. Hence, he prayed that the petition filed by the petitioner has to be allowed.

3.Per contra, the learned Additional Advocate General appearing for the respondent would submit that in this case, most of the accused have already been arrested in connection with other crime numbers as well as in this case and that the accused Suresh Batcha could not be formally arrested in connection with this case and that on formal arresting him, the process of trial pending before the trial court shall be expedited and hence, he prayed for the dismissal of the petition.

4.Heard both sides and perused the materials available on record.

5. In this case, this Court, after hearing both the parties, on 22.8.2016 directed the respondents to execute the Non-Bailable warrant within two weeks from the date of receipt of the said order. On the basis of the said order, the learned Special Judge under TNPID Act cases, Madurai, issued Non-Bailable Warrant on 30.08.2016 against A5-Suresh Batcha, A6-Ramarathinam, A7-Srikumar, A12-Siddiq Batcha, and A13-Lilun Nihar.

6. Considering the facts and circumstances of the case, the learned Special Court under TANPID Act cases, Madurai, is directed to dispose the case in C.C.No.11 of 2015 within a period of 12 weeks from the date of receipt of a copy of this order and report the same to the Registry without fail.

Sd/-

Assistant Registrar(CO)

/True Copy/



TO

1. The Special Judge,
Special Court under TNPID Act Cases, Madurai.
2. The Deputy Superintendent of Police,
Economic Offences Wing II,
Madurai District.
3. The Inspector of Police,
Economic Offences Wing II,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

Cr1.O.P. (MD) No.14675 of 2016
27.03.2017

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MKV-SKN-RSK-SAR 4/17.4.2017/3P-6C