

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2018

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.R.C.No.1421 of 2017

and

CRL.MP No.15225 of 2017

M/s.Sri Valliram Property Developers,
Partnership Firm,
rep.by its Managing Partner
P.Padmanaban,
S/o.Parasuraman,
No.36, Ponni Amman Koil Street,
Adayar, Chennai-600 020.

.. Petitioner

Vs.

State by
The Inspector of Police,
Central Crime Branch,
Team-V, Egmore/Veperry,
Chennai (Crime No.157/2014)

... Respondent

Criminal Revision Case filed under Section 397 and 401 Cr.P.C. against the order passed in Crl.M.P.No.2741 of 2017 dated 13.09.2017 in Crime No.157 of 2014 passed by learned Metropolitan Magistrate for Exclusive Trial of CCB Cases relating to Cheating cases in Chennai and CBCID Metro Cases, Chennai, functioning at Egmore Court Complex.

For Petitioner : Mr.G.Mohanakrishnan

For Respondent : Mr.V.Arul,
Additional Public Prosecutor.

O R D E R

This Criminal Revision Case arises against the order passed in Crl.M.P.No.2741 of 2017 dated 13.09.2017 in Crime No.157 of 2014 passed by learned Metropolitan Magistrate for Exclusive Trial of CCB Cases relating to Cheating cases in Chennai and CBCID Metro Cases, Chennai, functioning at Egmore Court Complex.

2. Petitioner, who is the defacto complainant sought return of Rs.51,00,434, found in the accounts of two accused

viz., Charles/A2 and Sureshkumar/A6. Such accused are absconding. The order under challenge has come to be passed in circumstances where the investigation had not been completed and the moneys had not been deposited into Court. Though final report is yet to be filed, it is brought to the notice that the sums, which were lying to the credit of the two aforesaid accused persons, now stands deposited with the Court below to the credit of Crime No.157 of 2014.

3. In the circumstances, this Criminal Revision Case is disposed of with liberty to petitioner to move afresh before Court below seeking return of money. Court below may consider favourably any petition moved by petitioner/defacto complainant for return of monies and in doing so, necessarily would consider the position of the monies deposited representing sums, which the petitioner/defacto complainant has been deprived of owing to the wrong doing of the accused.

Sd/-
Assistant Registrar (CS IX)

//True copy//

Sub Assistant Registrar

kmi

To

The Metropolitan Magistrate
for Exclusive Trial of CCB Cases relating to
Cheating cases in Chennai.

+1cc to Mr.G.Mohana Krishnan , Advocate SR.No.2826

Cr1.R.C.No.1421 of 2017

GN(17/02/2018)

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