

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2018

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.R.C.No. 503 of 2018

Joseph Zeadacin Robert Suresh

.. Petitioner

Vs.

The Station House Officer,
C.I.D. Police Unit,
Puducherry,
Crime No.31/2004.

.. Respondent

PRAYER:Criminal Revision case has been filed under Sections 397 and 401 Cr.P.C, to call for the records pertaining to the order passed in Crl.M.P.No. 885 of 2008, on the file of Principal District and Sessions Judge, Pondicherry and set aside the same.

For Petitioner : Mr.D.Ravichander
For Respondent : Mr.D.Bharatha Chakravarthy
Public Prosecutor (Pondicherry)

J U D G M E N T

Mr.D.Ravichander, learned counsel for the petitioner submitted that the petitioner's father was the owner of the property in question which was given for rent to M/s.P.N.L. Nidhi Ltd., where they run a financial institution. For the misappropriation of funds deposited by the depositors, a case was registered in Crime No.31 of 2004 and during the course of investigation, the building was sealed by the respondent / police. In spite of repeated requests made by the petitioner's father for removal of the seal, it was not done. While so, on 27.01.2016, the petitioner's father died. During his life time, the petitioner's father filed Crl.M.P.No.885 of 2008 for removal of the seal but it was dismissed by the Court below on the ground that a case is pending before the Hon'ble Supreme Court.

2.Mr.D.Bharatha Chakravarthy, learned Public Prosecutor appearing for the respondent submits that the building in question was let out to the financial firm where they carried on the business. During the course of investigation, several files were kept in the office and those files and documents are necessary to prove the case against the financial institution.

Further, the case against the said M/s.P.N.L.Nidhi Limited is pending before the Special Court under the Pondicherry Protection of Interest of Depositors Act, 2004. Therefore, the learned Public Prosecutor prayed time to get instructions.

3. Thereafter, the learned Public Prosecutor approached the Lower Court with regard to handing over of the property in favour of the petitioner. Accordingly, the possession was handed over to the

petitioner on 31.10.2018. The learned counsel appearing for the petitioner has also acceded to the submissions made by the learned Public Prosecutor.

4. Hence, nothing survives for further adjudication. However, liberty is granted to the petitioner to work out the remedy the manner known to law with regard to arrears of rent to be collected.

5. Accordingly, this Criminal Revision Petition stands dismissed as infructuous.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1. The Station House Officer,
CID Police Unit,
Puducherry.

2. The Principal District & Sessions Judge,
Puducherry.

+1cc to Mr.D.Ravichander, Advocate, S.R.No.75691

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BS (CO)
GSP (26/11/2018)