

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.23327 of 2017

1.M.Chinnusamy
2.M.Saraswathy

.. Petitioners

Vs.

1. State represented by
Deputy Superintendent of Police,
E.O.W.II,
By Pass Road, Kondalampatti,
Salem.
(Cr.No.6 of 2012)

2. District Revenue Officer,
Salem.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Investigating Officer, namely the Deputy Superintendent of Police, E.O.W.II, Salem to conduct an enquiry about the bonafide and genuineness of the Receipts and give his receipts and his recommendation to the District Revenue Officer, Salem, who was appointed as the Competent Authority to disburse the money to the victims in C.C.No.1 of 2011 on the file of Special Court for TNPID Act cases at Coimbatore for considering the claim of the petitioners along with the claim of other victims.

For Petitioners : Mr.K.V.Sridharan
For Respondents : Mrs.Kritika Kamal.P
Government Advocate (Crl. Side)

ORDER

The prayer sought for in this petition is to direct the Investigating Officer, namely the Deputy Superintendent of Police, E.O.W.II, Salem to conduct an enquiry about the bonafide and genuineness of the Receipts and give his recommendations to the District Revenue Officer, Salem, who was appointed as the Competent Authority to disburse the money to the victims in C.C.No.1 of 2011 on the file of Special Court for TNPID Act cases at Coimbatore for considering the claim of the petitioners along with the claim of other victims.

2. The grievance of the petitioners is that the names of the petitioners did not find place in the list of depositors in the final report filed in C.C.No.1 of 2011 before the Special Court for TNPID Act cases, Coimbatore.

3. The fact as to whether the petitioners are the depositors or not has to be determined only by the respondent police, after investigation.

This Court exercising its power under Section 482 Cr.P.C. cannot determine the same.

4. Hence, the petitioners herein are granted liberty to approach the respondent police seeking for inclusion of their names in the list of depositors and on such representation being made, the Investigating Officer shall conduct the enquiry about the bonafide and genuineness of the receipts and other supporting documents and give his recommendations to the District Revenue Officer who was appointed as the Competent Authority, to disburse the money to the victims and who shall consider the claim of the petitioners along with the claim of other victims if it is found to be a bonafide one. Such an exercise shall done as expeditiously as possible.

With the above observation and direction, the Criminal Original Petition stands disposed of.

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Index : Yes/No
Internet: Yes/No
dh

M.S.RAMESH.J.,

dh

To

1. The Deputy Superintendent of Police,
E.O.W.II,
By Pass Road, Kondalampatti,
Salem.
(Cr.No.6 of 2012)
2. District Revenue Officer,
Salem.



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