

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

Crl.OP.No.22132 of 2018

V.Manivannan

... Petitioner

Vs.

State

The Inspector of Police,
Arcot Town Police Station,
Arcot, Vellore District.
(Cr.No. 50 of 2018)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondent police to seize the rice bags which are under custody of the Karur Vysya Bank, Chinna Salem and produced the same before the learned Judicial Magistrate Court, Arcot, Vellore District.

For Petitioner : Ms.R.Hemalatha

For Respondent : Ms.M.Prabhavathi
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent to seize rice bags which are under the custody of the Karur Vysya Bank, Chinna Salem and produce the same before the Judicial Magistrate Court, Arcot, Vellore District in Crime No.50/2018.

2. The learned counsel for the petitioner has submitted that one Vijayakumar and Govindasamy have purchased rice worth about Rs.30,00,000/- from the petitioner on credit basis and subsequently they have not paid the amount. She further submitted that with an intention to cheat the petitioner, the said Vijayakumar and Govindasamy colluded with Branch Manager, Karur Vysya Bank by name Muthuramalingam and pledged the said rice bags in the said bank and obtained loan. She further submitted that the petitioner has lodged a complaint before the respondent on 08.12.2017 but, he has not registered the case and hence the petitioner has filed a petition in CRL.O.P. No.28530 of 2017 to issue directions. She further submitted that this Court has issued direction to register a case and only based on

the said order, the respondent has registered a case on 20.12.2017 in Cr.No.50 of 2018 under sections 406, 420 and 560 (i) IPC, but, thereafter he did not take any steps to secure the accused and also to seize the rice bags. She further, submitted that the respondent may be directed to secure the accused and seize rice which is under the custody of Karur vysya Bank, Chinna Salem and produce before the learned Judicial Magistrate Court, Arcot, Vellore District.

3. The learned Additional Public Prosecutor has submitted that the respondent came to know that the said Karur Vysya Bank, Chinna Salem has sold the rice bags in public auction for the amount due to the said bank and hence the rice cannot be seized. She further submitted that investigation is in progress. She further submitted that one of the accused surrendered before the Court and he was released on bail and another accused is absconding.

4. Considering the aforesaid submissions, the respondent is directed to take effective steps to secure another accused and expedite the investigation and file a final report within four weeks from the date of receipt of a copy of this order.

5. With the aforesaid directions, this petition is disposed of .

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

vv/vsn
To

1. The Inspector of Police,
Arcot Town Police Station,
Arcot, Vellore District.
(Cr.No. 50 of 2018)

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Prakasam, Advocate Sr.66192

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sr[co]
srg 25/10/2018