



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRL.O.P. (MD) No. 9256 of 2018

1. Jayanthi  
2. Seethalakshmi  
3. Tamilvani  
4. Kalaivani  
5. Thavaselvi  
6. Latha

.. Petitioners

Vs.

1. The District Superintendent of Police,  
Madurai District,  
Madurai.

2. The Inspector of Police,  
Keezhavalavu Police Station,  
Keezhavalavu,  
Madurai District.

.. Respondents

Petition is filed under Section 482 of the Criminal Procedure Code, to direct the second respondent not to harass the petitioners.

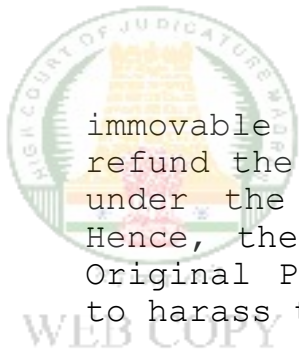
For Petitioners : Mr. R. Murugappan

For Respondents : Mr. K. K. Ramakrishnan  
Additional Public Prosecutor

**ORDER**

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioners.

2. According to the petitioners, the petitioners are the deposit holders of HPN Dairies and Allied Limited Company, New Delhi and the said company defaulted to return the deposit amount to the depositors after the maturity period. Pursuant to the default made to the depositors, cases were registered against the said company and its Directors under the provisions of IPC and under the TANPID Act. Furthermore, the Securities and Exchange Board of India [SEBI], Mumbai, directed the HPN Company to return the deposit amount to the depositors, against which, the company has preferred an appeal before the Securities Appellate Tribunal, Mumbai. The Securities Appellate Tribunal, Mumbai, by order dated 28.06.2017, attaching the properties of HPN Company including movable and



immovable properties to the SEBI, so as to auction the same and refund the amount to the depositors. However, the second respondent under the guise of investigation, is harassing the petitioners. Hence, the petitioners have come forward with the present Criminal Original Petition seeking a direction to the second respondent not to harass them.

3.The learned Additional Public Prosecutor submitted that the complaint has been received against the petitioners, who are acted as Agents of HPN Company and as of now, enquiry is pending. Therefore, at this stage, the petitioners to evade from the further proceedings have filed the present Criminal Original Petition before this Court. If the petitioners co-operate with the enquiry, the same will be completed within a period of two weeks from the date of receipt of a copy of this order.

4.In the light of above said submission made by the learned Additional Public Prosecutor, no prima facie case has been made out to entertain the present Criminal Original Petition. Hence, this Criminal Original Petition is dismissed with a direction to the second respondent to complete the enquiry within a period of two weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1.The District Superintendent of Police,  
Madurai District,  
Madurai.

2.The Inspector of Police,  
Keezhavalavu Police Station,  
Keezhavalavu,  
Madurai District.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

CRL.O.P.(MD) No.9256 of 2018  
08.06.2018

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