



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Cr1.O.P. (MD) .No.5534 of 2011

WEB COPY

H.Ghyaz Ahmed

...Petitioner/ De-facto
Complainant

Vs.

1. The Secretary
Home Department
Fort St.George
Chennai 600 009
Omandur Estate, Mount Road,
Chennai 600 002

2. The Commission of Police
Mannarpuram
Trichy - 20

3. The Assistant Commissioner of Police
Fort Police Station, Trichy -8

4. The Inspector of Police
Gandhi Market Police Station(Palakkarai)
Trichy -8

...Respondents 1 to 4/Complainant

5. H.Hakkim @ K.M.S Hakkim

6. T.M.Shamshudeen

7. Tajuddin

8. A.K.Khaja Kamaladdeen

...Respondents/Accused

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the Commissioner of Police, Mannarpuram, Trichy 620 020, the Assistant Commissioner of Police, Fort Police Station, Trichy -2 and the Inspector of Police, Gandhi Market Police Station(Palakkarai), Trichy 8 as per police complaint dated 04.03.2011, as per Sections 41, 47, 48, 93, 94, 99, 100, 101 and 102 Cr.P.C to search & seize the misappropriated funds of Rs.15,00,000/- and to seize the entire hotel articles valued at Rs.10,00,000/- taken away by the 5th to 8th respondents/accused, seize from the 5th to 8th respondent/accused respective places and arrest the 5th to 8th respondent/accused and others, who are involved and may be pleased to direct to restore the entire property to the petitioner as per Section 451 and 456 of Cr.P.C.



For Petitioner : Mr.H.Ghyaz Ahmed
Advocate-Party in person

For R1 to R4 : Mr.A.Robinson
Government Advocate
(Crl.Side)

For R5 : Mr.K.Hema Karthikeyan

For R6 : Mr.P.Arun Jeyaram

For R7 : No appearance
R8 : Died

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ORDER

This petition has been filed to direct the Commissioner of Police, Mannarpuram, Trichy 620 020, the Assistant Commissioner of Police, Fort Police Station, Trichy -2 and the Inspector of Police, Gandhi Market Police Station(Palakkarai), Trichy 8 as per police complaint dated 04.03.2011, as per Sections 41, 47, 48, 93, 94, 99, 100, 101 and 102 Cr.P.C to search & seize the misappropriated funds of Rs.15,00,000/- and to seize the entire hotel articles valued at Rs.10,00,000/- taken away by the 5th to 8th respondents/accused, seize from the 5th to 8th respondent/accused respective places and arrest the 5th to 8th respondent/accused and others, who are involved and may be pleased to direct to restore the entire property to the petitioner as per Section 451 and 456 of Cr.P.C.

2.Heard the learned counsel appearing on either side.

3.In view of the direction made in Crl.O.P(MD).No.5533 of 2011 mandating registration of First Information Report and conduct of investigation by the concerned Assistant Commissioner of Police, no further orders are necessary in Crl.O.P(MD).No.5534 of 2011.

4.With this direction, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Secretary to Government of Tamilnadu,
Home Department, Fort St.George,
Chennai 600 009, Omandur Estate, Mount Road,
Chennai 600 002.



2. The Commission of Police,
Mannarpuram,
Trichy - 20.

3. The Assistant Commissioner of Police.
Fort Police Station, Trichy -8.

4. The Inspector of Police.
Gandhi Market Police Station(Palakkarai).
Trichy -8.

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

+1CC to Mr.H.Ghyaz Ahmed, Advocate, SR.No. 74651

Cr1.O.P.(MD) .No.5534 of 2011
24.07.2018
(2/4)

MSA
ES/RP/SAR 4/27.07.2018/3P/7C