

IN THE HIGH COURT JUDICATURE AT MADRAS
DATED: 11.01.2019

CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.870 of 2019
and
W.M.P.Nos.966 & 967 of 2019

1.B.Achalram @ A.R.Chowthiri

2.D.Beraram

... Petitioners

Vs.

1. State of Tamil Nadu,
Rep. by its Secretary to Government
Home Department, Fort St. George,
Chennai - 600 009.

2. Inspector of Police,
Economic Offences Wing - II,
Vellore,
Vellore District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to take steps for attaching the property at D.No.76, Santhaipet Bazaar, Gudiyattam Town and for bringing it up for sale in accordance with the provisions of the Tamil Nadu Protection of Interest of Depositors (in financial establishments) Act, 1997.

For Petitioner : Mr.T.Sai Krishnan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking for direction to the respondent police to take steps for attaching the property and bringing it up for sale.

2. The second respondent has registered an FIR in Crime No.5 of 2000 for an offence under Section 2 of TNPID Act. After investigation, the final report has also been filed and it has been taken on file in C.C.No.72 of 2001. These petitioners have been shown as Accused persons in the final report.

3. It is the case of the petitioners that the respondent police have not taken any steps to attach the property and bring it for sale as stipulated under the TNPID Act. Therefore, the present Writ Petition has been filed.

4. The learned Additional Public Prosecutor, on instructions, would submit that the respondent police will take a decision in that regard and for that purpose, no direction is required, more particularly, in the writ Petition filed by the Accused persons.

5. This Writ Petition is disposed of with a direction to the respondent police to act in accordance with law and if they identify any property that actually belongs to the accused persons, the respondent police can proceed against the same in accordance with the TNPID Act. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dh/rka

To

1.The Secretary to Government
Home Department, Fort St. George,
Chennai - 600 009.

2.Inspector of Police,
Economic Offences Wing - II,
Vellore,
Vellore District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.Sai Krishnan, Advocate, S.R.No.3556

W.P.No.870 of 2019
and

W.M.P.Nos.966 & 967 of 2019

SSV(CO)

rrs 19/02/2019