

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH
W.P.No.6644 of 2017

S.Gopalan

...Petitioner

Vs

- 1.The Commissioner of Police,
City Commissioner,
Tiruppur District
- 2.The Superintendent of Police,
Tiruppur,
Tiruppur District.
- 3.The Deputy Superintendent of Police,
District Crime Branch,
Tiruppur District.
- 4.The Inspector of Police,
District Crime Branch,
Tiruppur District.
- 5.G.R.Vishnuvaradhan
- 6.G.Ravindran
- 7.G.R.Harshvaradhan
- 8.Dr.V.Genguswami
- 9.G.Rajalakshmi

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 to attaching the properties of the respondents 5 to 9 and to ensure their personal attendance for enquiry in Crime No.13 of 2016 on the file of the 4th respondent as per the petitioner's representation dated 30.01.2017 within stipulated time to be fixed by this Court.

For Petitioner : Mr.V.Karthik
Senior Counsel

For R1 to R4 : Mr.C.Iyyapparaj
Additional Public Prosecutor

For R5 to R9 : Mr.R.Shanmuga Sundaram
Senior Counsel for Mr.A.Gopinath

O R D E R

The reliance on Section 37A of the Criminal Law amendment ordinance may not be relevant at this stage, since the attachment of the property would be on the fact as to whether there are sufficient reasons for the Government to believe that the person has committed the scheduled offence. In the instant case, admittedly, the occurrence is under investigation in Crime No.13 of 2016. It is also brought to the notice of this Court that the 2nd accused had expired when the investigation was pending before this Court.

2.Hence, the prayer sought for by the petitioner cannot be considered at this juncture. Accordingly, the Writ Petition stands closed. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True copy//

Sub Assistant Registrar

sbn/vsn
To

- 1.The Commissioner of Police,
City Commissioner,
Tiruppur District
- 2.The Superintendent of Police,
Tiruppur,
Tiruppur District.
- 3.The Deputy Superintendent of Police,
District Crime Branch,
Tiruppur District.
- 4.Inspector of Police,
Anupparpalayam Police Station,
Thirupur City.
5. The Additional Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Gunalan, Advocate SR.No.87275

+1cc to Mr.A.Gopinath, Advocate SR.No.87681

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NMI(CO)
GMY(26/11/2019)