

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.12776 of 2020

National Collateral Management Services Ltd,
Rep by its, Area Manager,
L.Devaraj (age 40)
S/o.Luthersamy,
No.Classic Tower, 5th Floor,
Thiruchy Main Road, Coimbatore.

... Petitioner

.Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Tirupur, Tirupur District.
2. The State rep. By its
The Inspector of Police,
Kamanayakkanpalayam Police Station,
Tirupur District.

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register the case and investigate the complaint dated 04.01.2020 given by the petitioner.

For Petitioner : Mr.N.R.Elango
for Mr.E.Raj Thilak, Senior Counsel

For Respondents: Mr.S.Karthikeyan,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondent to register the case and investigate the complaint dated 04.01.2020 given by the petitioner.

2.Mr.N.R.Elango, learned senior counsel submitted that the allegations mentioned in the complaint are serious in nature. Since the petitioner is engaged in the business of Collateral Management Services which holds agricultural commodities that are pledged to various banks and these banks avail loans to the depositors on the basis of the warehouse receipts issued by the

petitioner's company. On 08.01.2018, the petitioner's company field staffs conducted godown survey and issued the commodity arrival report to the bank and KR Corporation obtained loan amount to the tune of Rs.6,76,83,000/- (Rupees Six Crores Seventy-six Lakhs and Eighty-three thousand only). When it being so, on inspection the petitioner found that the godown locks were broken and found most of the cotton bales were missing and also the cotton bales were replaced by waste cotton bales. In this regard, the petitioner lodged a complaint before the 2nd respondent and it is pending for investigation for the past several months.

3.Mr.S.Karthikeyan, learned Additional Public Prosecutor appearing for the respondents submitted that on perusal of the complaint lodged by the petitioner, the 2nd respondent referred the complaint before the Inspector of Police, District Crime Branch, Tirupur in C.No.4 of 2020, and it is pending for enquiry on the file of the Inspector of Police, District Crime Branch, Tirupur.

4.Considering the facts and circumstances, and also considering the gravity of the offence as alleged in the complaint dated 04.01.2020, the Inspector of Police, District Crime Branch, Tirupur is directed to conduct enquiry on the complaint lodged by the petitioner and take appropriate action as against the accused persons in accordance with law within a period of four weeks from the date of receipt of copy of this order.

5.With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Tirupur, Tirupur District.
2. The Inspector of Police,
Kamanayakkanpalayam Police Station,
Tirupur District.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.12776 of 2020

sr (co)
rr ii (12/10/2020)