

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.K. ILANTHIRAIYAN

Cr1.O.P.No.15082 of 2020

National Collateral Management Service Ltd.,
Rep by its Regional Manager - Tamil Nadu-Kerala,
S.Jeyaraman, M/A 34 Years,
S/o.Shanmugam
No.213/1P, THIRU.VI.KA Street,
Manapakkam Main Road,
Gerugampakkam, Chennai-600 122. Petitioner

Versus

1. The Superintendent of Police,
Thiruvannamalai District Superintendent Office,
Thiruvannamalai District.
2. The Inspector of Police,
Arani Police Station, (Taluk), Arani - 632 301.
Thiruvannamalai District. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register a case and investigate complaint dated 30.03.2020 given by the petitioner.

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

For respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondent to register a case and investigate complaint dated 30.03.2020 given by the petitioner.

2.Mr.N.R.Elango, learned senior counsel appearing for the petitioner 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.

3.It is stated that the petitioner further submits that National Collateral Management Services Ltd. ("NCML") is engaged in procurement, storage and preservation services, collateral management services, testing and certification services, information services and other risk management services for commodities and inventories in the commodity markets, NCML, inter alia provides collateral Management services to reputed banks in India including public and private sector banks through which it facilitates a funding against commodities through warehouse receipt.

4.It is stated that in Thiruvannamalai District the company had taken the work of maintaining 19 Godowns which belongs to various individuals and companies.

5.It is stated that on 27.07.2018 when we had conducted an inspection we came to know that our employees who were responsible for managing the godowns and the 19 godown individuals who had taken loan from the bank had conspired to steal the paddy bags. The petitioner further submits when the inspection was conducted they found only 29,829 paddy bags whereas the original stock was 68,391 bags.

6.Mr.S.Karthikeyan, learned Additional Public Prosecutor appearing for the respondents submitted that on perusal of the complaint lodged by the petitioner is pending enquiry on the file of the 2nd respondent police.

7.Heard the learned Senior Counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents.

8.Considering the facts and circumstances, and also considering the gravity of the offence as alleged in the complaint dated 30.03.2020, the Inspector of Police, Arani Police Station, (Taluk), Arani - 632 301, Thiruvannamalai District, 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.

9. 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,
Thiruvannamalai District Superintendent Office,
Thiruvannamalai District.
2. The Inspector of Police,
Arani Police Station, (Taluk),
Arani - 632 301.
Thiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.15082 of 2020

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