

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.13804 of 2017

A.Anees Ahamed,
S/o.Abdul Jaleel

... Petitioner/A2

Versus

1.State represented by
The Inspector of Police,
Central Crime Branch, Chennai
In G-2, Periamedu Police Station,
Chennai Police.

2.Sushil Kumar,
S/o.Gopal Chandar
2nd respondent is impleaded as
per the order of this Hon'ble Court
dated 09.08.2017 made in
Crl.M.P.No.9615/2017 in
Crl.O.P.No.13804/2017.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned XIV Metropolitan Magistrate, Egmore, Chennai to release the Fixed Deposit Receipt in the sum of Rs.10,00,000/- dated 15.10.2013 submitted by the petitioner pursuant to the orders of this Hon'ble Court in Crl.M.P.No.20642 of 2013 dated 29.08.2013 as amended in Crl.M.P.No.4 of 2013 dated 07.10.2013 along with the accrued interest in favour of the petitioner.

For Petitioner : Mr.A.M.Rahamath Ali
For R1 : Mr.C.Iyyappa Raj
Additional Public Prosecutor
For R2 : Mr.P.Sidharthan

ORDER

The petitioner, who is A2 in Crime No.630 of 2013 has filed this petition seeking to release the Fixed Deposit of Rs.10,00,000/- dated 15.10.2013 submitted by the petitioner pursuant to the order of this Court in Crl.OP.No.20642 of 2013 dated 29.08.2013.

2. The learned counsel for the petitioner submitted that though the FIR came to be registered in the year 2013, he is not aware of the present stage of the case. In this case, an amount of Rs.10,00,000/- is deposited. Further, the learned counsel for the petitioner submitted that the petitioner was not involved in the transaction of the case.

3. The learned counsel for the second respondent submitted that in this case investigation is at the final stage. The defacto complainant was asked to submit certain documents which he is yet to submit. He further submitted that the petitioner actively participated in the commission of offence.

4. The learned Additional Public Prosecutor submitted that the initially the case was registered by the respondent in Crime No.630 of 2013 and later, it was transferred to the Central Crime Branch and renumbered as Crime No.242 of 2018. After transfer of investigation, EDF, Team-III completed substantial portion of investigation. After lifting of the lockdown within short period, the charge sheet would be filed. Further there is specific overt act against the petitioner.

5. At this stage, the learned counsel for the petitioner seeks permission of this Court to withdraw the petition since charge sheet is likely to be filed shortly.

6. Recording the submissions, the petition is dismissed as withdrawn.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To:

1.The Inspector of Police,
Central Crime Branch, Chennai
In G-2, Periamedu Police Station,
Chennai Police.

2. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.13804 of 2017

KJ(CO)
GN(09/10/2020)