

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.27897 of 2019

and

Crl.M.P.No.14868 of 2019

1. Sakthi Emu Farms
Shop No.100, Ammu Complex
Kundrathur Road
Perunthurai, Erode.
 2. S.Ramasamy ... Petitioners/Accused 1 & 2
- Vs.
1. State represented by
Inspector of Police,
Economic Offences Wing - II
Erode.
 2. The Competent Authority
District Revenue Officer
Erode. ... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the second respondent for settlement and disbursement of the claim of the remaining depositors in accordance with Section 5A of Tamil Nadu Protection of Interest of Depositors Act, 1997 and compounding the offence in C.C.No.15 of 2012 on the file of the Special Judge, Tamil Nadu Protection of Interest of Depositors Act, Coimbatore.

For Petitioners : M/s.G.Murugendran
(No appearance)

For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for a direction directing the second respondent for settlement and disbursement of the claim of the remaining depositors in accordance with Section 5A of Tamil Nadu Protection of Interest

of Depositors Act, 1997 and compounding the offence in C.C.No.15 of 2012 on the file of the Special Judge, Tamil Nadu Protection of Interest of Depositors Act, Coimbatore.

2. It is seen that the petitioner is an accused under the Tamil Nadu Protection of Interest of Depositors Act. Now the trial is pending in C.C.No.15 of 2012 on the file of the Special Judge, Tamil Nadu Protection of Interest of Depositors Act, Coimbatore.

3. The learned Additional Public Prosecutor appearing for the respondents submits that though some of the depositors have settled, remaining depositors have to be settled. The required amount settled to the victims is to the tune of Rs.76,92,000/-, whereas the amount lying in Crime is only Rs.8,00,000/-. Therefore, it cannot be distributed to the depositors.

4. Since, the amount lying in Crime is only Rs.8,00,000/-, the same cannot be distributed to the depositors. Further, it is seen that if at all the petitioners want to settle the amount, they can very well approach the trial Court and settle the amount to the depositors and seek for compounding the offence. Therefore, the direction sought for in this petition is devoid of merits.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

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To

1. State represented by
Inspector of Police,
Economic Offences Wing - II
Erode.
2. The Competent Authority
District Revenue Officer
Erode.
3. The Public Prosecutor,
High Court of Madras,
Madras.

4. The Special Judge,
Tamil Nadu Protection of Interest of Depositors Act,
Coimbatore

Crl.O.P.No.27897 of 2019
and
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PP (CO)
GMY (29/09/2020)



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