



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.3878 of 2020

WEB COPY

1.Subramaniyan

2.P.Manoharan

... Petitioners

Vs

1.The Superintendent of Police,
Pudukottai District,
Pudukottai.

2.The Inspector of Police,
Sammatty Viduthi Police Station,
Pudukottai.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to issue a direction directing the second respondent not to harass the petitioners, without following due process of law.

For Petitioner : Mr.R.Murugappan

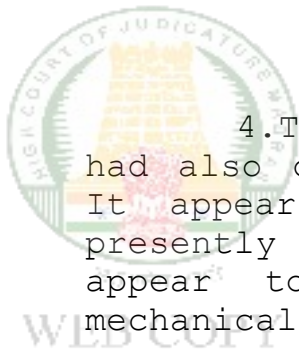
For R1 & R2 : Mr.A.Robinson
Government Advocate (Crl.side)

ORDER

Heard the learned counsel on either side.

2.The petitioners allege harassment at the hands of the second respondent.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl.side) submitted that the fellow villagers of the petitioners had given a compliant to the second respondent alleging that the amounts collected from them by way of deposit by the petitioners have not been returned. It appears that the petitioners had collected money from the fellow villagers and deposited the same in a Company known as Azure Agrow Tech Ltd., having their office at Salem.



4.The petitioner's counsel would state that the petitioners had also deposited their hard earned money in the said company. It appears that the company had defaulted and the case is presently pending before SEBI. The properties of the company also appear to have been frozen. The second respondent had mechanically closed the complaint.

5. I am of the view that on the face of it, the case attracts the offence under TNPID Act. The second respondent has clearly erred in closing the complaint. what the second respondent should have done is to formally transfer the papers to EOW 2, Pudukottai. Therefore, the second respondent is directed to forward the complaint and other relevant papers to the Jurisdictional EOW 2, Pudukottai, forthwith and without any delay.

6.With this direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Superintendent of Police,
Pudukottai District,
Pudukottai.

2.The Inspector of Police,
Sammatty Viduthi Police Station,
Pudukottai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-9716[F] dated
03/03/2020)

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SBS (CO)

TR(13.03.2020) 2P 5C

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