



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Seventh day of October Two Thousand and Twenty

PRESENT

The Hon'ble Mrs. Justice R. THARANI

CRL MP(MD) No.4976 of 2020
in
CRL A(MD)SR No.19607 of 2020

1 ASSUR GROUP OF INVESTMENTS AND CAPITALS
REPRESENTED THROUGH,
THE PARTNERS ACCUSED No.2to6,
No.18, SENGUNTHAR NAGAR, KARUR.

2 R.GOPINATH

... PETITIONER/APPELLANT

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
ECONOMIC OFFENCES WING II,
KARUR DISTRICT.
CRIME NO. 19 OF 2013.

... RESPONDENT/RESPONDENT

Prayer in CRL MP(MD) No.4976 of 2020:

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to condone delay of 175 days in filing the appeal as against the Judgement Passed in C.C.No. 15 of 2017 on the file of the Learned Special Court under the Tamilnadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997 Madurai dated 31.07.2019.

Prayer in CRL A(MD)SR No.19607/2020:

To call for the records pertaining to the Judgment dated 31.07.2019 passed in CC.No.15/2017 on the file of the Special Court Under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai and acquit the appellant of all the charges, there by allow the present appeal as prayed for.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of

<https://hcservices.ecourts.gov.in/hcservices/>



M/S.S.MAHENDRAPATHY, Advocate for the petitioner and of
MR.R.SARAVANA KUMAR, Government Advocate on behalf of the
Respondent, the Court made the following order:-

The petition is filed to condone the delay of 175 days in
filing the revision case in Crl.A.(MD)No.SR19607 of 2020.

2.On the side of the petitioner, it is stated that the
petitioner is in custody for more than nine months and hence, he
could not file the appeal within the time frame and prays the delay
to be condoned.

3.On the side of the respondent, it is stated that the amount
involved is Rs.1,56,00,000/- (Rupees One Crore and Fifty Six Lakhs
only). It is stated that the delay may be condoned on condition to
deposit some amount.

4.In view of the representations made by both the counsel, this
petition is allowed on condition that the petitioner is hereby
directed to deposit a sum of Rs.6,00,000/- (Rupees Six Lakhs only)
to the credit of C.C.No.15 of 2017 on the file of the Special Court
under the Tamil Nadu Protection of Interest of Depositors (in
Financial Establishment) Act within a period of one month from the
date of receipt of copy of this order. On such deposit, the learned
trial Judge, shall re-deposit the sum of Rs.6,00,000/- (Rupees Six
Lakhs only) in any Nationalised Bank, so that, the amount accrues
interest and the same can be disbursed depending upon the outcome of
the Criminal Revision Case. Failing which, this petition stands
automatically dismissed.

5.The Registry is directed to number the appeal.

sd/-
07/10/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDGE,
SPECIAL COURT UNDER THE TAMILNADU PROTECTION
OF INTEREST OF DEPOSITORS (IN FINANCIAL ESTABLISHMENT),
MADURAI.

2. THE INSPECTOR OF POLICE,
ECONOMIC OFFENCES WING II,

<https://hcservices.mca.gov.in/BSR/EST>.



3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

WEB COPY

ORDER

IN

CRL MP(MD) No.4976 of 2020 in

CRL A(MD)SR No.19607 of 2020

Date :07/10/2020

MRN

SRS/ AKM/SAR-IV/ 09.10.2020/ 3P/4C