



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE **A.D. JAGADISH CHANDIRA**

Crl.O.P.(MD).No.19428 of 2019

Rathinaraj ... Petitioner
Vs.

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

2.The Inspector of Police,
Economic Offence Wing,
District Crime Branch,
Tirunelveli.

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the second respondent to allow the petitioner to give his statement in Crime No.2, on the file of the second respondent representing his family members (6 persons) along with the original receipts of the deposits.

For Petitioner : Mr.V.Rajiv Rufus

For Respondents : Mr.S.Chandrasekar,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the second respondent to allow the petitioner to give his statement in Crime No.2 of 2018, on the file of the second respondent representing his family members (6 persons) along with the original receipts of the deposits.

2.The learned counsel for the petitioner would submit that the petitioner in his name and on behalf of his family members has deposited in fixed deposits scheme run by one Hindustan Agri India Limited and the said company cheated several persons. Based on the complaint given by one Yogaraja, a case has been registered against the said company in Crime No.2 of 2018 by the respondent



police. He would further submit that the petitioner being the senior person in the family had deposited in the name of his son, daughter and daughter-in-law. He would further submit that amount of Rs.29,000/- have been deposited in the name of his daughter-in-law/Gnanam, Rs.19,000/-, in the name of his son/Rajasingsh, Rs.31,217/- in the name of his daughter/Jesmine Jeyachithra, Rs.45,000/- in the name of his wife Permila, who is no more and Rs.48,000/- in the name of his daughter-in-law/Parimala Rajamani and Rs.17,200/- in the name of his son/Rajadurai Charles. He would further submit that his son, daughter and daughter-in-law are living elsewhere and that they are unable to appear before the respondents for enquiry. He would further submit that the petitioner being the elder person and representative of the other depositors is seeking for a direction that he may be permitted to represent and give statement on behalf of other family members.

3.The learned Additional Public Prosecutor would submit that the petitioner has to compare with the original deposit receipts.

4.At this juncture, the learned counsel for the petitioner would submit that the petitioner is prepared to produce the original deposit receipts and requisite authorisation from other family members before the respondents.

5.In view of the same, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

To

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

2.The Inspector of Police,
Economic Offence Wing,
District Crime Branch,
Tirunelveli.



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

+1 CC to MR.V.RAJIV RUFUS, Advocate (SR-1225[F] dated
09/01/2020)

**CrI.O.P. (MD) .No.19428 of 2019
09.01.2020**

KM/ (30.01.2020) 3P 5C