

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2021

CORAM

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

Crl.O.P No.17205 of 2015
and Crl MP No.5778 of 2016

Bio Medical Engineering Company (BEC)
rep by its
Managing Partner,
Renjith Joseph Mathew,
having registered Branch Office at
No.144, Sampath Street,
Rathnapuri,
Coimbatore

Petitioner

The Inspector of Police,
District Crime Branch,
Thiruvallore

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a direction, directing the respondent to remove the equipments mentioned in the schedule from the premises of D.D.Medical College and Hospital and produce before the learned Tiruttani Magistrate, in Crime No.62 of 2013 by considering the representation dated 09.09.2014.

For Petitioner : Mr.R.Balakrishnan

For Respondents : Mr.E.Raj Thilak
Counsel for Government
(Crl Side) for R1
Mr.J.Ashok for R2

ORDER

This Criminal Original Petition has been filed for a direction to the respondent to remove the equipments mentioned in the schedule from the premises of D.D.Medical College and Hospital and produce before the learned Judicial Magistrate, Thiruttani, in Crime No.62 of 2013 by considering the representation dated 09.09.2014.

2. The case of the petitioner is that the petitioner had supplied hospital equipments to the D.D.Medical College and Hospital. While so, due to some Administrative problem, the hospital was seized by All India Medical Council and College. The petitioner approached the said hospital for payment of Rs.77,15,000/- to the equipments supplied but he left in vain.

Therefore, he gave a complaint before the respondent police. An FIR came to be registered in Crime No.62 of 2013 under Section 406, 420 of IPC r/w Section 34 of IPC. The petitioner filed this present petition seeking for a direction to the respondent police to remove the equipments from the hospital and produce it before the learned Thiruttani Magistrate.

3. Mr.E.Raj Thilak, learned Counsel for Government (Crl Side), on instructions submitted that all the said equipments lying in the D.D.Medical College and Hospital are embedded with the Floor and the same cannot be removed and produced before the learned Judicial Magistrate, Thiruttani. The learned counsel further submitted that the said hospital was under lock and seal and CBI cases were also pending against the said hospital. The learned counsel further submitted that charge sheet has also been filed in this case before the Court below.

4. In view of the above, there shall be a direction to the respondent police to consider and dispose of the representation dated 09.09.2014 on merits and in accordance with law, after issuing notice to the parties, within a period of two weeks from the date of receipt of copy of this order. Consequently, the connected miscellaneous petition is closed.

01.07.2021

Index : Yes/No

Internet : Yes/No

rka

Note: Since there is no representation on behalf of the petitioner, the Registry is directed to mark a copy of this order to the petitioner.

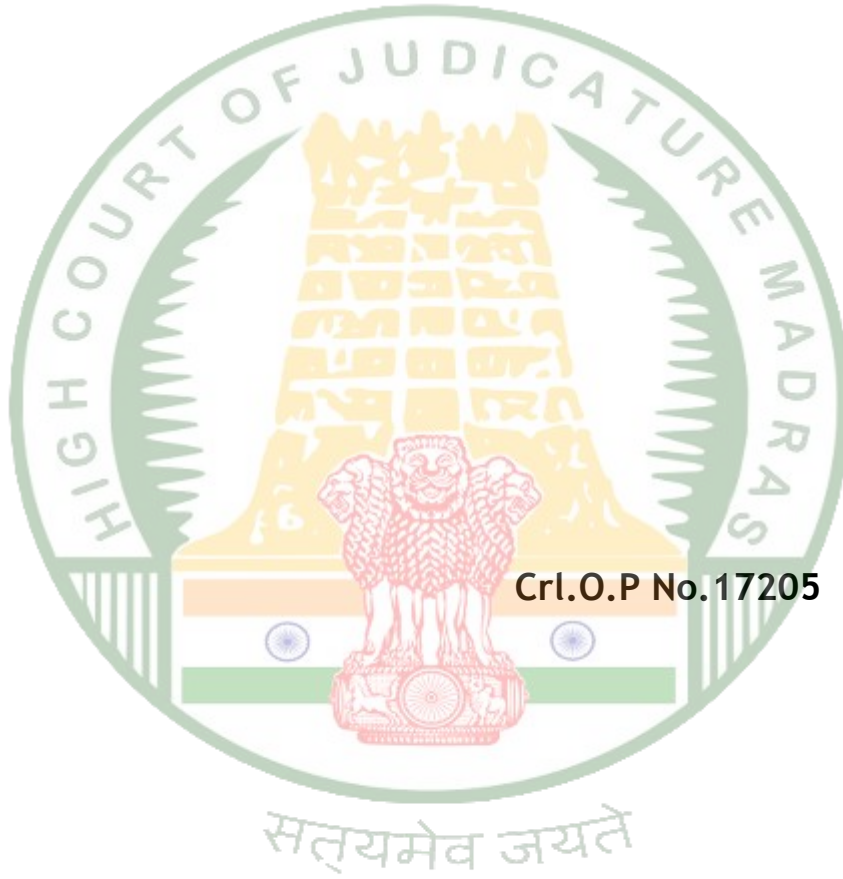
To

1 Judicial Magistrate,
Thiruttani

2. The Inspector of Police,
District Crime Branch,
Thiruvallore

3. The learned Government Advocate
High Court, Madras

V.BHAVANI SUBBAROYAN.,J
rka



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