



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.4082 of 2021

and

Crl.M.P.Nos.2590 & 2592 of 2021

1. TVS Emu Farms,
Door No.1/355, 2/355,
Dasappa Gounden Pudur,
Sakthi to Athani Main Road,
Opp to Valli Theater,
Gobichettipalayam Taluk,
Erode.
Represented by A2 to A12.

2.B.Raja
3.N.Balaji
4.S.Aravindh
5.S.Arun
6.P.Prabhu,
7.D.Rameshkumar
8.P.Praveen Kumar
9.Ramnath
10.A.M.Shanmugam
11.A.M.Palanisamy

...Petitioners

Versus

1. State rep by,
Deputy Superintendent of Police,
Economic Offences Wing-II,
Erode.
[Crime No.04 of 2012].

2. N.Ravi.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to C.C.No.21 of 2013 pending on the file of Special Court under TNPID Act, Coimbatore and quash the same.

For Petitioner :	Mr.S.Manuraj
For R1 :	Mr.A.Damodaran, Government Advocate (Crl. Side)
For R2 :	Mr.S.Shankar



WEB COPY

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.21 of 2013 pending on the file of the Special Judge, Special Court under the Tamil Nadu Protection of Interests of Depositors Act, 1997, Coimbatore.

2.In continuation and conjunction to the earlier order passed by this Court on 17.03.2021 and 17.04.2021, this Court passing the following order.

3.It is seen that in this case, there are totally 380 depositors. Out of which, the prosecution has examined PW1 to PW371. All the depositors examined have been settled of their dues. Out of the remaining 9 nine depositors, 5 depositors died and the other 4 depositors sofar not made claim.

4.The amount to be paid to these depositors is to the tune of Rs.10,75,000/-, out of which the petitioners even before filing this petition have deposited Rs.6,00,000/- by way of demand draft bearing No.996640, dated 19.10.2019 drawn on Indian Bank, Udumelpet Branch in favour of the Competent Authority/District Revenue Officer, Collectorate, Erode. Following the order of this Court dated 17.03.2021, the balance amount of Rs.4,75,000/- was deposited by way of demand draft dated 20.03.2021 in favour of the Competent Authority/District Revenue Officer, Collectorate, Erode. Now, the entire due amount has been settled, paid and deposited.

5.The learned Government Advocate (Crl. Side) appearing on behalf of the respondent Police on instructions submitted that the entire due amount of Rs.10,75,000/- has been paid and now, available with the Competent Authority/District Revenue Officer, Collectorate, Erode.

6.Mr.S.Shankar, learned counsel for the 2nd respondent submitted that the 2nd respondent received the entire due amount and all the depositors have been settled and unclaim depositors amounts are now lying with the Competent Authority/District Revenue Officer, Collectorate, Erode.

7.In view of the entire amount paid to depositors who claimed the amount, the unclaimed depositors amount has been deposited in favour of the Competent Authority/District Revenue Officer, Collectorate, Erode and the learned Government Advocate (Crl. Side) and the learned counsel for the 2nd respondent confirms the same and in view of the settlement, this Court is inclined to quash the proceedings against the petitioners.



8. In the result, this Criminal Original Petition is allowed and the proceedings in C.C.No.21 of 2013 on the file of the Special Judge, Special Court under the Tamil Nadu Protection of Interests of Depositors Act, 1997, Coimbatore is hereby quashed. Consequently, the connected Criminal Miscellaneous Petitions are closed.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

vv2

To

1. The Special Judge,
Special Court under the Tamil Nadu Protection of
Interests of Depositors Act, 1997,
Coimbatore.
2. The Deputy Superintendent of Police,
Economic Offences Wing-II,
Erode.
3. The Public Prosecutor,
High Court, Madras.

+1 CC to M/s.S.Shankar, Advocate, Sr 30293.
+1 CC to Mr.S.Manuraj, Advocate, Sr 30369.
+1 CC to Mr.S.Manuraj, Advocate, Sr 30369.(07/09/2021)

CRL.O.P.No.4082 of 2021

NK(CO)
LS(23/08/2021)