



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2021

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.11457 OF 2017

AND

CRL.M.P.NO.7529 OF 2017

1.P.Nangamuthuraj

2.M.Changuttuvan

...Petitioners

Vs.

1. State represented by
The Inspector of Police
Central Crime Branch
Chennai
(Crime No.X.Cr.No.442/2014)

2. Dr.V.R.Punithavelu

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to quash the FIR in X.Cr.No.442/2014 on the file of the 1st respondent as far as the petitioners are concerned.

For Petitioners : Mr.K.Balasubramaniam

For Respondents : Mr.S.Vinoth Kumar
Government Advocate for R1
No appearance for R2

O R D E R

This Criminal Original Petition has been filed to quash the FIR in X.Cr.No.442/2014 on the file of the 1st respondent as far as the petitioners are concerned.

2. The main contention of the learned counsel for the petitioners is that first petitioner is said to have died during the pendency of the proceedings. He further submitted that the petitioners are central Government employees and they formed a



society in the name and style of "The Central Government Officials and State General Administrators' Housing Welfare Society" which was involved in the activities of purchasing land and selling to the members of the society, who are also Central and State Government employees. They collected huge sum of money to the tune of Rs.8 crores from the public and they cheated the public.

3. It is also brought to the notice of this Court that Anticipatory Bail petitions have been filed in CrI.O.P.No.21365 and 21413 of 2015 and the same were granted vide order dated 28.10.2015, with a condition to pay the entire amount and this Court has also appointed a retired Judge, Hon'ble Justice Mr.S.Rajeswaran as One-Man Commission to monitor and distribute the amount to the various depositors. This Court has recorded in Paragraph No.2 of the common order that Rs. 7.2 crores have been permitted to be deposited only for the disbursement of the money due to the depositors and it has been brought to the attention of the Court by the Intervener, the same appears to have been disbursed by One-Man Commission appointed by this Court. However, remaining sum of Rs.80,00,000/- (Rupees Eighty Lakhs only) has not been paid. Thereafter, a contempt petition has been filed in Cont.P.No.2705 of 2016 and this Court vide order dated 31.03.2021 has directed to pay the amount with the interest at the rate of 8 % per annum. However, the same has not been done in the contempt proceedings. This court has also directed the respondent to pay the interest for the amount of Rs.7.2 crores from the date of the receipt of payment from petitioner till the date of repayment, within a period of four weeks. Now, it is fairly submitted that the remaining amount has not been paid even when the entire proceedings are in the final stage.

4. In case of this nature involving huge sum of money and various proceedings pending, this Court is not inclined to quash the FIR at the threshold. In the result, this Criminal Original Petition is dismissed and the respondent Police is directed to proceed further with the investigation in accordance with law and complete the investigation and file a final report as expeditiously as possible. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

msv/nr



To

1. The Inspector of Police
Central Crime Branch
Chennai

2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.11457 of 2017
and
Crl.M.P.Nos.7529 of 2017

KSM(CO)
RLP(08/12/2021)