IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.09.2021

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

CRL.O.P.NO.8745 OF 2017

K.Ponvel

.. Petitioner

Vs

1. The State of Tamil Nadu
   Represented by the Inspector General of Police,
   EOW, Guindy,
   Chennai.

2. The State of Tamil Nadu
   Represented by the Commissioner of Police,
   Central Crime Branch,
   Chennai.

3. The State of Tamil Nadu
   Represented by the Superintendent of Police,
   EOW, Guindy,
   Chennai.

4. The State of Tamil Nadu
   Represented by the Inspector of Police,
   EOW, Guindy,
   Chennai.

5. Thayagam Chit Fund Pvt. Ltd.
   Represented by its Owner, A.Nirmal Kumar.

6. Thayagam Chit Fund Pvt. Ltd.
   Represented by its Manager, Rajendiran.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C to transfer the investigation from the 4th respondent to

3rd respondent in the EOW Department and take necessary action against the 5th & 6th respondent.

For Petitioner .. Mr.S.John Josh
for Mr.R.Muniyapparaj

For R1 to R4 .. E.Raj Thilak
Government Advocate
(Criminal Side)

ORDER

The grievance of the present petitioner herein is that he had given a complaint to the 4th respondent/the Inspector of Police, E.O.W, Guindy, Chennai. The complaint was about the nefarious activities of Thayagam Chit Fund Pvt. Ltd., which claimed to pay back money in furtherance of deposits made by the petitioner.

2. The Thayagam Chit Fund Pvt. Ltd., had collected various amounts from about 356 depositors and had defaulted in repayment. Very specifically, the petitioner herein and his daughter and son had paid chit amounts of Rs.25,00,000/-, Rs.2,00,000/-, Rs.1,00,000/- and Rs.5,00,000/- and after the said deposit, they had been repaid the sum of Rs.5,00,000/-, Rs.50,000/-, Rs.25,000/- and Rs.1,25,000/- alone respectively.

3. Claiming that Thayagam Chit Fund Pvt. Ltd., and all those concerned that the said Chit Fund Company had committed the offences of cheating and other offences, the petitioner herein had given a complaint to the 4th respondent to examine and take necessary action. Claiming that no such action has been taken, the present petition has been filed.

4. I am informed by Mr.E.Raj Thilak, learned Government Advocate (Criminal Side) that pursuant to investigation, charge sheet has been filed before the Economic Offences Wing-II, Chennai, on 23.08.2021 with respect to 30 depositors out of 356 depositors. The petitioner herein also figures as one of those who had subscribed for chit amounts and amounts which he had subscribed had also been given namely Rs.25,00,000/-, Rs.5,00,000/-, Rs.2,00,000/- and Rs.1,00,000/-.

5. In view of the fact that final report had been filed, nothing further survives in the present petition. The petitioner may participate in the proceedings before the Economic Offences Wing-II, Chennai, whenever, the final report is taken cognizance and summons been issued to the accused therein. He may tender evidence on behalf of the prosecution there.

6. Accordingly, the Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

grs/kbs

To

1. The Inspector General of Police,
   EOW, Guindy,
   Chennai.

2. The Commissioner of Police,
   Central Crime Branch,
   Chennai.

3. The Superintendent of Police,
   EOW, Guindy,
   Chennai.

4. The Inspector of Police,
   EOW, Guindy,
   Chennai.

5. The Public Prosecutor,
   High Court, Madras.

Crl.O.P.No.8745 of 2017

SPD(CO)
RLP(12/10/2021)