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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

Crl.R.C.No.903 of 2017

and

Crl.M.P.No.8477 of 2017

R.Amudha

... Petitioner

.. Vs ..

Administrative Inspector of Police,
Central Crime Branch, Egmore,
Chennai - 600 008.

....Respondent

Prayer :- Criminal Revision filed under 397 and 401 of the Criminal Procedure Code, to call for the records in Crl.M.P.No.20882 of 2016 in Crl.RC.SR.No.21768 Principal Sessions Judge, Chennai in Crl.M.P.No.9 of 2006 in C.C.No.4176 of 1999, on the file of the Chief Metropolitan Magistrate, Egmore at Chennai and set aside the same and be pleased to condone the delay of 1351 days in the light of the facts and circumstances stated above, to ensure the ends of justice.

For Petitioner : No appearance

For Respondent : Mr.R.Vinoth Raja,
Government Advocate (Crl.Side)

O R D E R

This Criminal Revision Petition is filed to call for the records in Crl.M.P.No.20882 of 2016 in Crl.RC.SR.No.21768 in Crl.M.P.No.9 of 2006 in C.C.No.4176 of 1999, on the file of the Chief Metropolitan Magistrate, Egmore at Chennai and set aside the same.

2. A4 in C.C.No.4176 of 1999 before the Chief Metropolitan Magistrate, Egmore at Chennai is the petitioner herein. He filed Crl.M.P.No.9/2006 (discharge petition) and the same was dismissed on 09.11.2012, against which, the petitioner preferred Crl.R.C.SR.No.21768/2016 with a delay of 1351 days. There is no representation for the petitioner for the past few hearings.

3. On instruction, the learned Government Advocate (Crl.Side) submits that earlier, 1443 persons have invested money in the hands of the accused and they are issued with empty receipts, however the same was not returned. A1 Rajendran and A2 Jayaseelan were running an unregistered firm in the name of M/s.Amudha Gold Palace at Thana street,



Purasaiwalkam. They canvassed the public with false promise of offering 24% high rate of interest and collected deposits from the public. Believing the version of A1&A2, the complainant deposited an amount of Rs.10,000/- as fixed deposit on 01.01.1996 for a period of one year. Even after the maturity period, A1 & A2 failed to refund the maturity amount to the complainant and absconded. Hence, the complainant lodged a complaint with Central Crime Branch, Chennai to initiate action against A1 & A2. The case was charge sheeted and the same is under trial in C.C.No.4176/99 before the Chief Metropolitan Magistrate Court, Egmore, Chennai. Total default amount is Rs.2,40,19,747/- in respect of for 1443 depositors, out of which, 487 people were settled out of Court and for nearly 600 persons, the same was settled through the learned Official Assignee in the insolvency proceedings initiated before this Court. As far as balance 350 depositors, the case is going on. So far, 37 witnesses have been completed.

4. There is no representation for the revision petitioner/accused.

5. I find no reasons to condone the delay in preferring the criminal revision in CrI.RC.SR.No.21768/2016 before the Court below. Accordingly, the delay petition in 1351 days is dismissed for want of sufficient cause and hence the learned Sessions Judge has rightly dismissed the revision itself.

6. There being no merits, this Criminal Revision Petition is dismissed. Consequently, CrI.M.P is closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Sessions Judge,
Chennai.

2. The Chief Metropolitan Magistrate,
Egmore at Chennai.

3.The Administrative Inspector of Police,
Central Crime Branch, Egmore, Chennai 600 008.

4. The Public Prosecutor,
High Court, Madras.

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CrI.M.P.No.8477 of 2017