



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Second day of December Two Thousand and Twenty One
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.7059 of 2021
IN
CRL OP(MD) No.1146 of 2020

P.SARAVANAPANDI

... PETITIONER/PETITIONER/DEFACTO
COMPLAINANT

Vs

1 S.SUBRAMANIAN

...RESPONDENT/RESPONDENT/ACCUSED

2 THE INSPECTOR OF POLICE

CCB MDURAI CITY, III FLOOR,

COMMISSIONER OFFICER, ALAGAR KOVIL ROAD,

MADURA - 625002

(CRIME NO. 11 OF 2019)

... RESPONDENT/RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to direct the Learned Judicial Magistrate No. 1, Madurai to transfer the amount of Rs. 50,00,000/- with the accrued interest, deposited in Indian Overseas Bank, Madurai District Court Branch to the petitioner's account in Union Bank of India with Account No.493901100032050 and IFSC Code No.UBIN0549398 in the name of M/s VISVAS PROMOTERS PRIVATE LIMITED by way of e-transfer within a specified time in Cr.M.P.No.1496 IN CRL OP 1146/2020 dated 01/03/2021.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.MURUGANANTHAM.B.A., Advocate for the petitioner and of Mr.M.VAIKKAM KARUNANITHI, Government Advocate(crl.side) on behalf of the 2nd Respondent, the Court made the following order:-

The defacto complainant in Cr.No.11 of 2019, on the file of CCB Madurai City, has filed this petition seeking orders, directing the learned Judicial Magistrate No.I, Madurai to transfer the amount of Rs.50,00,000/- with the accrued interest, deposited in Indian Overseas Bank, Madurai District Court Branch to the petitioner's account in Union Bank of India in Account No.493901100032050, in the name of M/s Visvas Promoters Private Limited by way of e-transfer within a time specified in Cr.M.P.No.1496 of 2021 in Crl.O.P.No.1146 of 2020, dated 01.03.2021, on the file of this Court.



2. When this matter was taken up for hearing on 17.11.2021, this Court has passed the following order:

" 3. In view of the above, the Registry is directed to call for a report from the learned Judicial Magistrate No.I, Madurai, as to whether any accrued interest for the said period is available with the Court or in the Bank and as to why the said amount was not paid to the petitioner, while transferring the amount of Rs.50,00,000/- (Rupees Fifty Lakhs only)."

3. In pursuance of the directions of this Court, vide order dated 17.11.2021, the learned Judicial Magistrate No.I, Madurai has submitted a report dated 01.12.2021 stating that the accrued interest for the said period is available in the Indian Overseas Bank, District Court Branch, Madurai and as per the order of this Court, the balance is retained in the credit of Cr.NO.11 of 2019 and that she is soliciting further instructions from this Court with regard to the payment of interest.

4. This Court, vide order dated 01.03.2021, has directed the learned Judicial Magistrate No.I, Madurai to transfer the amount of Rs.50,00,000/- deposited in the Indian Overseas Bank, District Court Branch, Madurai to the petitioner's account in Union Bank of India in Account No.493901100032050, in the name of M/s Visvas Promoters Private Limited by way of e-transfer within the time specified in Cr.M.P.No.1496 of 2021 in Crl.O.P.No.1146 of 2020, dated 01.03.2021, on the file of this Court.

5. The learned Counsel for the petitioner would submit that he had already received a sum of Rs.50,00,000/- through e-transfer, but he was not given the accrued interest for the period from 01.03.2021 till 28.07.2021, the date on which, the amount was transferred.

6. As rightly contended by the learned Counsel for the petitioner, this Court has not passed any order with respect to the subsequent interest. Hence, the learned Judicial Magistrate No.I, Madurai is directed to transfer the accrued interest for the period from 01.03.2021 to 28.07.2021, now available in the Indian Overseas Bank, District Court Branch, Madurai to the petitioner's account in Union Bank of India in Account No.493901100032050, in the name of M/s Visvas Promoters Private Limited, by way of e-transfer within ten days from the date of receipt of a copy of this order.



7. With the above directions, this Criminal Miscellaneous Petition is disposed of.

sd/-
02/12/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

WEB COPY

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
CCB MDURAI CITY, III FLOOR,
COMMISSIONER OFFICER, ALAGAR KOVIL ROAD,
MADURAI - 625002
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.7059 of 2021
IN
CRL OP(MD) No.1146 of 2020
Date :02/12/2021

SS/JC/SAR-IV/14.12.2021 : 3P/5C