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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No.2810 of 2019
and
Crl.M.P.No.1835 of 2019

R.Vignesh

... Petitioner

Versus

1.State by Inspector of Police,
Economic Offence Wing,
Vellore District.
(Crime No.1/2019)

2.K.Anbu

... Respondents

Prayer: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code to call for the records relating to the Crime No.1 of 2019 on the file of the 1st respondent police and quash the same as far as the petitioner is concerned.

For Petitioner : Mr.Kailash
for M/s.I.Abrar MD Abdullah

For R1 : Mr.R.Vinothraja
Government Advocate (Crl.Side)

For R2 : No appearance

ORDER

This Criminal Original Petition has been filed seeking to quash Crime No.1 of 2019 on the file of the 1st respondent police.

2. When the case is taken up for hearing, the learned Counsel representing the Counsel on record for the Petitioner submits that the Counsel on record is engaged in other Court and therefore, he seeks an adjournment. On perusal of the records, it is found that there are five counsels on records. But, none



of them appeared before this Court. However, the representing Counsel represented on their behalf.

3. Further, on the query of this Court to the learned Government Advocate (Crl.Side) for the first Respondent, he submits that this is a case, wherein the economic offence in Vellore had registered in Crime No.1 of 2019 under Sections 420, 406, 120B and Section 5 of the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, wherein as per the complaint, the petitioner and other accused had collected a sum of Rs.2,98,00,000/- from the gullible public in and around Vellore. Subsequently, FIR is pending before the TNPID Court, Chennai.

4. At the stage of admission of this petition, this Court had granted interim stay directing the Investigation Officer not to lay final report against this petitioner alone, who is arrayed as A4. In the meanwhile, the Investigation Officer, Inspector of Police, Economic Offence continued to receive similar complaints from 200 persons and still the Inspector of Police, Economic Offence is in receipt of similar complaints against the petitioner and other accused. Now, as per the provisions of TNPID Act, the Investigation Officer had to trace out the properties purchased by the accused after collecting the offence committed attracting Section 5 of TNPID Act.

5. This is a fit case, where the petitioner, who is arrayed as A4 before the TNPID Court had cleverly succeeded in delaying the investigation by approaching this Court under Section 482 of Cr.P.C.

6. Considering the valuable hard earned money lost by the gullible public in and around Vellore, this is not a fit case to continue with the stay. Therefore, the Investigation Officer is directed to collect further materials and file appropriate final report before the TNPID Court within a reasonable period.

7. With the above direction, this Criminal Original Petition is dismissed. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar



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- To
- 1.The Inspector of Police,
Economic Offence Wing,
Vellore District.
 - 2.The Public Prosecutor,
Madras High Court,
Chennai.

CrI.O.P.No.2810 of 2019
and
CrI.M.P.No.1835 of 2019

SKM(CO)
GMY(28/04/2022)