



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.06.2022

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.9042 of 2022 & Crl.M.P.No.5253 of 2022

1. Bhavani Alma Emu Farms @
Alma Emu Farms
17/16, Rajakadu 3rd Street, Erode.
 2. V.Mathumathi
 3. A.P.Satheesh Kumar
 4. S.Viswanathan
- .. Petitioners/Accused
- vs.

1. State represented by The Inspector of Police,
Economic Offences Wing - II,
Erode.
 2. P.Venkatesan
- .. Respondents/Respondents

Criminal Original Petition filed under section 482 of Code of Criminal Procedure to call for the records in C.C.No.20 of 2012 pending on the file of the special Judge, Special Court under Tamil Nadu Protection of Interest of Depositor Act, 1997 Coimbatore and quash the same.

For Petitioner : Mr.G.Murugendran

For Respondents: Mr.A.Gokulakrishnan
Additional Public Prosecutor - R1

O R D E R

The petition has been filed to quash the proceedings in C.C.No.20 of 2012 pending on the file of the Special Judge, Special Court under Tamil Nadu Protection of Interest of Depositor Act, 1997 Coimbatore for offence under section 5 of TNPID Act and Sections 120-B and 420 of IPC.

2. The only grievance of the petitioner is that already the competent authority has directed the petitioner to pay the amount to the depositors proportionately. The Competent Authority namely Mrs.Santhoshini Chandra, the District Revenue Officer is also present before this Court. The learned counsel for the petitioner has submitted that the depositors are



agreeable for receiving 38% of the amount and they are ready to file an affidavit to that effect before the trial Court.

3. In such view of the matter, if the petitioner is able to get the affidavit of all the depositors and file before the competent authority, the competent authority, the District Revenue Officer shall file a necessary petition before the trial Court for compounding the offence under Section 5A of TNPID Act. On such petition being filed, the trial Court shall proceed further and pass Orders. In the event, any settlement is not arrived as submitted by the petitioner, thereafter, the trial Court shall proceed as per law.

4. With the above directions, the Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vrc

To

1.The Special/Judge, Special Court,
Under Tamil Nadu Protection of
Interest of Depositor Act, Coimbatore.

2.The Inspector of Police,
Economic Offences Wing - II,
Erode.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.Murugendran, Advocate, S.R.No.38904

Cr1.O.P.No.9042 of 2022

VG-II (CO)
SB(06/07/2022)