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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.14655 of 2022

M/s.BBCL Srishti Homes LLP.,
Represented by its Authorised Signatory
R.Elandevan
No.20, Mylai Ranganathan Street, T.Nagar,
Chennai - 600 017

...Petitioner

Vs.

1. The Inspector of Police
Job Racket Wing
CCB, Vepery, Chennai - 600007

2. Nandini

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. praying to permit the petitioner to deposit the sum of Rs.80.95 lakhs to such account as this Court may deem fit and subject to such conditions as this Court may deem fit, so as to protect the interests of he petitioner against any claim from the 2nd respondent herein.

For Petitioner : Mr.Avinash Krishnan Ravi

For Respondent-1: Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to permit the petitioner to deposit the sum of Rs.80.95 lakhs to such account as this Court may deem fit so as to protect the interests of he petitioner against any claim from the 2nd respondent herein.



2. The contention of the petitioner is that the petitioner is a Limited Liability Partnership Firm incorporated under the Limited Liability Partnership Act 2008 and engaged in the business of property development and real estate in various parts of Chennai. While so, the 2nd respondent namely Nandini was allotted a Villa subject to payment of Rs.1,52,00,000/- plus stamp duty and registration charges. In furtherance to the said allotment, the said Nandini had transferred a sum of Rs.80,95,000/- on various dates to the petitioner. When the matter stood so, the petitioner received a summon from the 1st respondent at which stage, the petitioner learnt that there are allegations against the said Nandini that she had run a job racket and cheated people to acquire funds and part of which may have been used to acquire the Villa as such the petitioner is in no manner connected to the said Nandini. During the course of investigation, the concerned police officer had asked the petitioner orally to remit the amount of Rs.80.95 lakhs received from the said Nandini by cash to distribute the same to various victims of the job racket alleged to have been run by the said Nandini. He would further submit that the petitioner is ready and willing to deposit the said amount. However, as the matter is sub-judice before the Court and is under process of investigation, the petitioner apprehends that any unilateral deposit of the money to any third party agency, including governmental agencies may result in possible future liability to the petitioner. Hence, the present petition has been filed to permit the petitioner to deposit the said amount to such account as this Court may deem fit.

3. The learned Additional Public Prosecutor appearing for the respondent police would submit that the crime proceeds is more than Rs.89 lakhs and the same has to be deposited.

4. At this juncture, the learned counsel for the petitioner would submit that whatever the money is payable, he is ready to deposit.

5. When such view of the matter, the petitioner is directed to deposit the sum of Rs.80,95,000/- (Rupees Eighty Lakhs and Ninety Five Thousand Only) at present to the credit of Crime No.131 of 2021 on the file of the CCB & CBCID, Spl. Court, Egmore, Chennai. On such deposit, the learned Magistrate shall deposit the said amount in an interest bearing Fixed deposit in any one of the Nationalized bank and shall continue renewing the same till the disposal of the case. If any further amount is to be deposited by the petitioner, the petitioner shall also deposit the same in the above said crime number.



6. With the above directions, this Criminal Original Petition is disposed of.

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Sd/-

Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

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To

1.The Inspector of Police
Job Racket Wing
CCB, Vepery, Chennai - 600007.

2.The Special Judge,
CCB & CBCID, Special Court,
Egmore, Chennai.

3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.14655 of 2022

GPL(CO)
CB(07/07/2022)