



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Third day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.14273 of 2021

IN CRL OP.10120/2021

R.SRIDHAR BABU

[PETITIONER/PROPOSED 3rd RESPONDENT]

Vs

1 V.VIVEKANANDAN

[RESPONDENTS 1 & 2/PETITIONERS]

2 V.KRISHNAVENI

3 STATE REP BY

[RESPONDENTS 3 & 4/RESPONDENTS 1 & 2]

THE INSPECTOR OF POLICE, C
ENTRAL CRIME BRANCH,
CHENNAI-7.

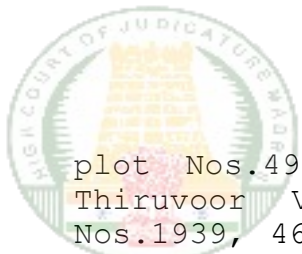
4 T.VIJAYAKUMAR

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to implead the petitioner/proposed 3rd respondent viz., R.Sridhar Babu as 3rd respondent in Crl.O.P.No.10120/2021.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.N.SIVAPRAKASH, Advocate for the petitioner and of M/S.JAYANTHI, Advocate on behalf of the R-1 and of M/S.E.RAJ THILAK, Additional Public Prosecutor on behalf of the R-3 and of M/S.SHEIK ISMAIL, Advocate on behalf of the R-4 the court made the following order:-

This petition has been filed to implead the petitioner/proposed 3rd respondent herein as 3rd respondent in Crl.O.P.No.10120 of 2021.

2. The contention of the petitioner is that the petitioner inclined to purchase the first and second respondents' property, viz.,



plot Nos.49, 51, 52, 63, 90, totally measuring 10,237 sq.ft at Thiruvoor Village, Tiruvallur District, registered as document Nos.1939, 4634, 4635, 4633 and 600 of 2014, for a sale consideration of Rs.40,00,000/-. The documents are now seized and kept as case property. If the documents are released, he would immediately deposit Rs.40,00,000/- in C.C.No.70 of 2017.

3. The learned counsel for the respondents 1 & 2/A1 and A2, in C.C.No.70 of 2017, submitted that the total amount involved in this case is Rs.51,25,586/- and if Rs.40,00,000/- is accepted, the balance amount shall be paid within a short period of time and the entire amount would be paid to the defacto complainant.

4. The learned counsel for the defacto complainant submitted that the respondents 1 & 2/A1 and A2 have misappropriated the company's amount to a larger extent, cheating 84 customers' accounts, misappropriated and cheated them. Hence, strongly opposed this petition. The property wantedly under valued.

5. The learned Additional Public Prosecutor submitted that in this case, trial commenced, five witnesses so far examined and they can produce all the witnesses and complete the trial within a stipulated time.

6. Finding that the defacto complainant is not inclined for the settlement proposed by the petitioner herein and further the trial has been commenced and five witnesses have been examined, further considering the submissions of the learned Additional Public Prosecutor that the trial can be completed within a stipulated time period, this Court is not inclined to entertain this petition. The value of the property projected is doubtful.

7. In view of the same, this petition is dismissed.

-sd/-
03/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE,
NO.I, POONAMALLEE,
THIRUVALLUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
CHENNAI-7.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to M/S.N.SIVAPRAKASH Advocate on payment of necessary
charges SR.NO.227

Order

in
CRL MP.14273/2021

in
CRL OP.10120/2021

Date :03/01/2022

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RW 21/01/2022