



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

Thursday, the Thirtieth day of June Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice **G.ILANGOVAN**

CRL MP(MD) No.6330 of 2022

IN

CRL OP(MD) No.13117 of 2021

ASHOK

... PETITIONER

Vs

1 THE INSPECTOR OF POLICE CITY CRIME BRANCH,
TRICHY CITY
(CRIME NO. 19 OF 2021)

2 SOWMIYA

... 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 JM No. I, Trichy to taken on the file of the petition filed by the petitioner and consider the same to refund the sum of Rs. 10.00 lakh deposited by the R2/accused to the account of crime no. 19 of 2021 on 01.02.2022.

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. JAMEEL ARASU.B., Advocate for the petitioner and of M/S.M.VAIKKAM KARUNANITHI, Government Advocate(Crl.side) on behalf of the Respondent No.1, the court made the following order:-

This petition has been filed to direct the learned Judicial Magistrate No.I, Trichy, to refund the amount of Rs.10 lakhs, which was deposited by the second respondent/accused to the credit of Crime No.19 of 2021 on the file of the respondent police as per the orders of this Court, dated 01.02.2022.

2.While passing order in Crl.OP(MD)No.13117 of 2021, this Court directed the petitioner to deposit a sum of Rs. 10 lakhs to the credit of Crime No.19 of 2021 before the learned Judicial Magistrate No.I, Trichy, within a period of 1 month. That order was not complied by the petitioner. Now, the petition has been filed seeking a direction to the concerned Court to refund the amount of Rs.10 lakhs.



3.The learned counsel for the petitioner would submit that since the admitted amount has been deposited, he is entitled for refund.

4.The contention on the part of the petitioner entitled to refund the above said amount is not acceptable. That amount can be claimed, depending upon the outcome of the trial process. The trial has not been completed so far. So, a direction sought for by the petitioner can not be entertained. This petition deserves dismissal and accordingly, Criminal Miscellaneous Petition is dismissed.

sd/-
30/06/2022

/ TRUE COPY /

/07/2022

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

TO

1 THE INSPECTOR OF POLICE CITY CRIME BRANCH,
TRICHY CITY

2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL MP(MD) No.6330 of 2022
IN
CRL OP(MD) No.13117 of 2021
Date :30/06/2022

RK/SVR/SAR-III(15/07/2022) 2P/3C