



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Cr1.O.P. (MD)Nos.14589 and 10758 of 2021

and

W.P(MD) No.5773 of 2020

Cr1.O.P. (MD)No.14589 of 2021

1.Packiyarani

2.Palaniyammal

... Petitioners

Vs.

1.The Inspector of Police,
Economic Offences Wing,
Madurai.

2.The Sub Inspector of Police,
Economic Offences Wing,
Madurai.

3.Baskaran

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents No.1 and 2 herein not to harass the petitioners on the guise of the enquiry in pursuance to the complaint lodged by the third respondent.

For Petitioners : Mr.C.Senthil Murugan

For R1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

Cr1.O.P. (MD)No.10758 of 2021

1.Packiyarani

2.Palaniyammal

3.Sathiyaraj

4.Palraj

5.Rajendran

... Petitioners

Vs.

1.The Superintendent of Police,
Economic Offence Wing,
Guindy, Chennai.



2.The Deputy Superintendent of Police,
Economic Offence Wing,
Madurai.

3.The Inspector of Police,
Economic Offence Wing,
Madurai.

4.The Inspector of Police,
CBCID, Madurai.

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents No.1 and 2 to transfer the complaint dated 06.07.2021 pending on the file of the third respondent and entrust the same to the fourth respondent or appropriate action.

For Petitioners : Mr.C.Senthil Murugan

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

W.P. (MD) No.5773 of 2020

R.Munnamalai

... Petitioners

Vs.

1.The Superintendent of Police,
Madurai District, Madurai.

2.The Deputy Superintendent of Police,
Economic Offence Wing,
Madurai.

3.The Inspector of Police,
Economic Offence Wing,
Madurai.

4.Pitchai Jeyakumar
Managing Director,
Athistam Farm Allied Limited,
No.89A, 2nd floor,
North Perumal Mesthiri Street,
Madurai-625 001.



5.Ramar Shanthi,
Directors,
Athistam Farm Allied Limited,
No.89A, 2nd floor,
North Perumal Mesthiri Street,
Madurai-625 001.

6.Vennila Jeyakumar,
Director,
Athistam Farm Allied Limited,
No.89A, 2nd floor,
North Perumal Mesthiri Street,
Madurai-625 001.

...Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to direct the respondents 1 to 3 to conduct proper enquiry upon the petitioners representation dated 11.09.2019 and take appropriate action against the respondents 4 to 6 in accordance with law within a stipulated time period.

For Petitioners : Mr.C.Senthil Murugan

For R1 to R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor

COMMON ORDER

Crl.O.P(MD) No.14589 of 2021 has been filed to direct the respondents 1 and 2 herein not to harass the petitioners on the guise of the enquiry in pursuance to the complaint lodged by the third respondent.

2.Crl.O.P(MD) No.10758 of 2021 has been filed to direct the respondents 1 and 2 to transfer the complaint dated 06.07.2021 pending on the file of the third respondent and entrust the same to the fourth respondent or appropriate action.

3.WP(MD) No.5773 of 2020 has been filed to direct the respondents 1 to 3 to conduct proper enquiry upon the petitioners representation dated 11.09.2019 and take appropriate action against the respondents 4 to 6 in accordance with law within a stipulated time period.

4.The case of the petitioners is that they have lodged a complaint against the respondents 4 to 6 in WP(MD) No.5773 of 2020 before the Inspector of Police, Economic Office Wing, Madurai, alleging that the petitioners and others deposited huge amount in a

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company run by the respondents 4 to 6 in WP(MD) No.5773 of 2020 in the name and style of "Athistam Farm Allied Limited". Even thereafter, the said deposit was matured, the respondents 4 to 6 have failed to return the maturity amount and closed their firm, namely, Athistam Farm Allied Limited and committed serious offence. Even then, the third respondent did not enquire the complaint lodged by the petitioners. Instead of enquiring the complaint given by the petitioner, the third respondent harassed the petitioners without any reasons. Therefore, the petitioners have filed the present petitions seeking the reliefs stated supra.

5.The learned Additional Public Prosecutor appearing for the respondent police would submit that the complaint lodged by the petitioner is pending for enquiry before the third respondent.

6.Considering the above, the third respondent is directed to conduct enquiry on the complaint lodged by the petitioner after issuing summons to the respondents 4 to 6 in WP(MD) No.5773 of 2020 and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

7.With the above direction, these Petitions are disposed of.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

- 1.The Superintendent of Police,
Economic Offence Wing,
Guindy, Chennai.
- 2.The Superintendent of Police,
Madurai District, Madurai.
- 3.The Deputy Superintendent of Police,
Economic Offence Wing,
Madurai.



4.The Inspector of Police,
Economic Offence Wing,
Madurai.

5.The Sub Inspector of Police,
Economic Offence Wing,
Madurai.

6.The Inspector of Police, CBCID, Madurai.

7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.SHENBAGARAJ, Advocate (SR-4857[F] dated 08/02/2022)

Crl.O.P.(MD)Nos.14589 and 10758 of 2021
and
W.P(MD) No.5773 of 2020
08.02.2022

SVN(CO)
TR(22.02.2022) 5P 9C