



W.P.No.570 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

W.P.No.570 of 2023
and
W.M.P.No.519 of 2023

N.Suresh

... Petitioner

Vs.

1. The State Represented by,
The District Revenue Officer,
Competent Authority,
Erode District.
2. The Deputy Superintendent of Police,
Economic Offences Wing – II,
Erode District.
3. The Deputy Superintendent of Police,
Economic Offences Wing -II,
Erode District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India
pleased to issue Writ of Mandamus to direct the 1st respondent to consider the
representation dated 20.10.2022 to compound the offences under Section 5A of
TNPID Act.

For Petitioner : Mr.R.Vivekananthan

For Respondents :Mr.S.Santhosh,
Government Advocate (crl.side)



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ORDER

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This Writ Petition has been filed to direct the respondents to consider the representation dated 20.10.2022 to compound the offences under Section 5A of TNPID Act.

2.The learned counsel for the petitioner submitted that the petitioner is the 5th accused in C.C.No.04 of 2013 pending before the learned Special Judge for TNPID Cases, Coimbatore.

3. According to the prosecution, the amount involved in the cheating is around Rs. 10 crores. Already a sum of Rs.4.5 crores have been seized from the accused and it is available with the 1st respondent. Based on the G.O.Ms.No.177 of 2022 dated 19.03.2013, two immovable properties which belongs to the petitioner have been attached. If both the properties are sold, that would fetch around 6 crores. He further submitted that the amount available with the 1st respondent is sufficient enough to settle the depositors. The petitioner is the owner of both the properties and he is prepared to give No Objection Certificate for the sale of the said properties. Petitioner has given representation before the 1st respondent on 20.10.2022 for the purpose of compounding the cases by paying the proportionate amount to the depositors.



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However, the said representation was not considered. Therefore, present petition is filed.

4. In response, the learned Government Advocate (Crl. Side) submitted that the petitioner's representation dated 20.10.2022 is available with the 1st respondent and suitable action will be considered.

5. Recording the submission made by the learned Government Advocate (Crl. Side), this Court directs the first respondent to consider the petitioner's representation dated 20.10.2022 and pass appropriate orders in the manner known to law within a period of four weeks from the date of receipt of copy of this order. Consequently, connected miscellaneous petition is closed.

09.01.2023

Internet: Yes/No
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G.CHANDRASEKHARAN,J.

Sma

To

1. The State Represented by,
The District Revenue Officer,
Competent Authority,
Erode District.
2. The Deputy Superintendent of Police,
Economic Offences Wing – II,
Erode District.
3. The Deputy Superintendent of Police,
Economic Offences Wing -II,
Erode District.
4. The Public Prosecutor,
High Court of Madras.

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and

W.M.P.No.519 of 2023

09.01.2023