

**Crl.OP.No.11965 of 2023****N. ANAND VENKATESH, J**

Today, the matter was posted under the caption "Condition not complied with, hence for withdrawal of the order".

2. When Crl.MP.No.12562 of 2023 in Crl.OP.No.11965 of 2023 came up for hearing on 18.8.2023, this Court passed the following order:

This petition has been filed seeking for extension of time to settle the claim.

2. This Court directed the petitioner to settle the claims within a period of two months, failing which, the Court below was directed to proceed further and deal with the case on merits.

3. In the affidavit filed in support of the petition, it is stated that there were totally 21 bonafide claimants and out of that, 13 claimants have been settled and the relevant settlement papers have also been filed by way of typed set of papers. The petitioner is seeking for some more time to settle the balance 8 claimants. According to the petitioner, the whereabouts of the 8 claimants are attempted to be traced and immediately thereafter, the amount will be settled to them.



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4. Taking into consideration the effort shown by the petitioner to settle the claims, the time is extended for another eight weeks to settle the rest of the 8 claimants.

5. Post this case under the caption "For Reporting Compliance" on 16.10.2023.

3. When the matter was taken up for hearing, the learned counsel for the petitioner submitted that out of the remaining 8 claimants, 6 of them have been settled. To substantiate the same, relevant materials were also placed before this Court. Out of the remaining 2, one person had already received the money and he wants to report compliance only before the Court or the concerned authority. The other person is not willing to come for a compromise and the demand draft that was taken in favour of that person is also found at page 25 of the typed set that was filed today.

4. In the light of the above development, it is left open to the petitioner to go before the learned Chief Judicial Magistrate, Salem and bring to the notice of the Court all these facts and seek for compounding of the offence under Section 81 of the Chit Funds Act, 1982. The Court below shall issue notice to one M. Pachiannan, retired surveyor, who had taken a stand that he will sign the settlement papers only before the authority/court. The Court shall also issue notice to Venugopal, in whose name a demand draft has already been



taken to the tune of Rs.1,06,960/. On enquiring both these persons, the Court below shall proceed to pass orders.

5.Orders shall be passed by the Court below within a period of eight weeks from the date of receipt of a copy of the order.

08.01.2024

Note: Issue order copy on **10.1.2024**

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Internet: yes



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