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CrI.O.P.No.13030 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.13030 of 2023

Thumma Philip Lumanraj

...

Petitioner

VS

The State represented by
The Inspector of Police,
City Crime Branch,
Coimbatore City & District.
Crime No.41 of 2021

...

Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to direct the learned Judicial Magistrate No.VII, Coimbatore to disburse forthwith the amount of Rs.2,45,000/- to the petitioner in view of the order dated 14.11.2022 in CrI.M.P.No.10356 of 2022 on the file of the learned Judicial Magistrate No.VII, Coimbatore.

For Petitioner

...

Mr.G.Maheshkumar

For Respondent

...

Mr.Leonard Arul Joseph Selvam
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.VII, Coimbatore to disburse forthwith the amount of Rs.2,45,000/- to the petitioner, in view of the order dated 14.11.2022 in Crl.M.P.No.10356 of 2022 on the file of the learned Judicial Magistrate No.VII, Coimbatore.

2. It is the submission of the learned counsel for the petitioner that, petitioner is one of the victim in a job racketing case registered in Crime No.41 of 2021 on the file of the respondent. When granting bail to the accused, this Court in Crl.O.P.No.19815 of 2021 directed the accused to deposit a sum of Rs.50,00,000/- to the credit of the Crime No.41 of 2021 and upon such deposit, it was ordered that, amount may be disbursed proportionately in favour of the de-facto complainant and other victims. On the basis of this order, petitioner filed Crl.M.P.No.10356 of 2022 seeking his proportionate share, on the deposit amount of Rs.50,00,000/-. Accordingly, learned Judicial Magistrate No.VII, Coimbatore passed an order on 14.11.2022, directing payment of Rs.2,45,000/- to the petitioner. Despite this order, the amount is not paid, for the reason that, accused filed



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a petition in Crl.O.P.No.5308 of 2023, challenging the order passed by learned Judicial Magistrate No.VII, Coimbatore. The petitioner has also filed a memo before the learned Judicial Magistrate seeking payment of Rs.2,45,000/- . Till now, no payment is made. Therefore, this petition.

3. In the light of the submissions made and recorded above, this Court directs the learned Judicial Magistrate No.VII. Coimbatore to comply with the order passed in Crl.M.P.No.10356 of 2022, unless there is a legal prohibition, like order of stay passed by this Court against the disbursement of the amount.

4. Accordingly, this Criminal Original Petition is disposed of, with the above directions.

13.06.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

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G.CHANDRASEKHARAN, J.

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To

- 1.The Judicial Magistrate No.VII, Coimbatore.
- 2.The Inspector of Police,
City Crime Branch,
Coimbatore City & District.
- 3.The Public Prosecutor,
High Court, Madras.

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