



WEB COPY



W.P.No.23932 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.23932 of 2023

A.Ezhilarasi

W/o.S.Sivakumar

.. Petitioner

Vs.

State represented by:

The Deputy Superintendent of Police,

Economic Offences Wing (EOW),

Kancheepuram.

..Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondent to remove the lock and seal affixed in the petitioner's residential house situated at No.2/284A Bajanai Koil Street, Venkatesapuram Village, Perumuchi Village (via), Arakkonam Taluk, Vellore District within a stipulated time.

For Petitioner : Mr. T.P. Prabakaran

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER



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2. Heard Mr.T.P.Prabakaran, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondent.

3. The investigation was conducted in Crime No.16 of 2022 based on the complaint given by one A.Kumar and the First Information Report was registered for various offences under the Indian Penal Code, TNPID Act, 1997 and Banning of Unregulated Deposit Schemes Act, 2019. In the course of investigation, the place at which the accused person was residing was locked and sealed since the accused person was absconding.

4. The petitioner is said to be the owner of the property and she has



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approached this Court for a direction to the respondent to remove the lock and seal put up in the subject property.

5. Learned Additional Public Prosecutor submitted that investigation was completed in Crime No.16 of 2022 and an absconding charge sheet has also been filed before the TNPID Court, Chennai and the same has been taken on file in C.C.No.7 of 2022. Learned Additional Public Prosecutor further submitted that the accused person is still absconding and the police are yet to ascertain as to whether the accused person has entered into lease with the petitioner and the nature of his right and possession over the subject property.

6. In the considered view of this Court, no useful purpose will be served in keeping the property under lock and seal. It is left open to the petitioner to attend the enquiry before the respondent police and the petitioner shall submit all the relevant documents before the respondent police to prove her ownership over the property and also the relationship of



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landlord and tenant between the petitioner and accused person. The petitioner shall co-operate during the enquiry.

7. If the petitioner complies with the above direction, issued by this Court, the respondent is directed to remove the lock and seal from the subject property. This process shall be completed within a period of four (4) weeks from today.

This Writ Petition is disposed of with the above direction. No costs.

14.08.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
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To
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1.The Deputy Superintendent of Police,
Economic Offences Wing (EOW),
Kancheepuram.

2.The Public Prosecutor,
High Court of Madras, Madras.



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N.ANAND VENKATESH, J

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