



Criminal Original Petition No.19927 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.19927 of 2023

Murugan
S/o.Ganesan

...Petitioner

Vs

1.State represented by
The Superintendent of Police,
Economic Offence Wing,
Ashok Nagar, Chennai-600 052.

2.The Inspector of Police,
Economic Offence Wing,
Ashok Nagar, Chennai-600 052.

3.The Inspector of Police,
Economic Offence Wing-II,
Namakkal District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to direct the respondents to de-seal the petitioner's house.



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For Petitioner : Mr.D.Ashokkumar

For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondents to de-seal the petitioner's house.

2. Heard Mr.D.Ashokkumar, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents.

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



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locked and sealed since the accused person was absconding.

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



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petitioner shall submit all the relevant documents before the respondent police to prove his ownership over the property and also the relationship of 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 Criminal Original Petition is disposed of with the above direction.

01.09.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm/gvn



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To

- 1.The Superintendent of Police,
Economic Offence Wing,
Ashok Nagar, Chennai-600 052.
- 2.The Inspector of Police,
Economic Offence Wing,
Ashok Nagar, Chennai-600 052.
- 3.The Inspector of Police,
Economic Offence Wing-II,
Namakkal District.
- 4.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

gm/gvn

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