



W.P.No.25994 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.25994 of 2021
and W.M.P.No.27453 of 2021

1. Prabhu
2. Chandrasekar Rajendran

...Petitioners

-Vs-

1. The Secretary to Government,
Home (Police III) Department,
Fort St. George,
Chennai – 600 009.
2. The Director General of Police,
State Police Headquarters,
Santhome Beach Road,
Chennai – 600 004.
3. The Additional Director General of Police,
(Economic Offence wing SIDCO the petitions)
Alandur Road, Thiru Vi Ka Industrial Estate,
Guindy, Chennai – 600 032.
4. The Deputy Superintendent of Police
EOW Coimbatore,
Commissioner of Police Campus,
Coimbatore.



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5. The Inspector of Police,
Economic Offences Wing,
Commissioner of Police Campus,
Coimbatore.

6. The Inspector of Police,
CCB, Salem City Police,
Salem

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first to third respondents to constitute a Special Investigation Team (SIT) headed by an officer in the rank of IPS cadre to conduct investigation and monitored by this Court with respect to FIR in Crime No.3 of 2019 on the file of the fifth respondent and Crime No.13 of 2020 on the file of the sixth respondent and file final report within time frame fixed by this Court by considering the first petitioner's representation dated 04.09.2021 and 28.09.2021.

For Petitioners : Mr.I.Abdul Basith

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This petition has been filed for direction, directing the respondents 1 to 3, to constitute a Special Investigation Team to conduct investigation in Crime Nos.3 of 2019 and 13 of 2020 on the file of the respondents 5 & 6 respectively.



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2. The petitioners are the victims. The accused persons had offered the general public to invest fund between Rs.25,000/- to Rs.2,50,00,000/- and promised to return of 10% of profit and 10% of the capital amounted invested with the company every month. Believing the said proposal, the petitioner and others had deposited huge amount. However, the accused persons failed to pay any interest and also failed to pay the principal amount. On the complaints received from various depositors in four districts, FIRs were registered as follows :-

- i. Salem City Crime Branch Police Station – Crime No.13/2020
- ii. Sivagangai District, DCB – Crime No.12/2020
- iii. Nagarkoil EOW – Crime No. 01/2022
- iv. Thiruvallur DCB – Crime No.45/2022

3. In pursuant to the registration of FIRs, seven accused persons were arrested and remanded to judicial custody. There are totally 76,597 depositors made investment with the accused to the tune of Rs.1016,35,75,000/-. While pending investigation, on various Writ Petitions, this Court has given specific direction to the State to form a Special Investigation Team to proceed with the investigation effectively.



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4. In order to comply the direction issued by this Court, the Additional Director General of Police, Economic Offence, Chennai, by his proceeding dated 20.09.2022, formed a Special Investigation Team headed by Superintendent of Police, Economic Offence Wing, North Zone. At present, Mr.K.Josh Thangaiah, Superintendent of Police, Economic Offence Wing, North Zone in-charge of West Zone, is headed the Special Investigation Team and the investigation is in progress.

5. During the investigation, three proposals were sent to the Government for ad-interim attachment. In first proposal dated 17.06.2023, 10 immovable properties were sent along with its guide line value of Rs.3,92,25,675/-. Second proposal dated 12.07.2023, sent for 3 immovable properties with guide line value of Rs.47,75,000/- and 3 movable properties value of Rs.20,50,000/-. In third proposal dated 31.07.2023, movable properties of 12 accounts in 5 banks (Frozen Bank Accounts) worth Rs.13,18,28,579.52/- were sent through EOW Head Quarter to forward the Government for ad-interim attachment of the movable and immovable properties owned by M/s. Universal Trading Solutions Pvt. Ltd, & it's sister concern, Coimbatore.



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6. Apart from the above, two movable properties worth of Rs.16,25,000/- belonging to the accused and the frozen credit balance in the bank accounts of the accused to the tune of Rs. 4,14,05,635.58/- and seized cash in the house search of Rs.79,000/- and the house owner rental advance amount of Rs.25,000/-, were forwarded to the Competent Authority/DRO Coimbatore. Further, 36 immovable properties are identified in this case which is under process to send the Government for the purpose of getting the ad-interim attachment, as per Section 3 of the TNPID Act.

7. Therefore, the investigation is still in progress, since there are 76,597 depositors and it is getting delay to complete the investigation. In view of the above facts and circumstances, the Special Investigation Team is directed to complete the investigation and file final report in Crime Nos.3 of 2019 and 13 of 2020, within a period of sixteen weeks from the date of receipt of a copy of this Order.



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8. With the above directions, this Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. There shall be no orders as to costs.

07.11.2023

Internet : Yes

Index : Yes/No

Speaking/Non Speaking order

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To

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