



Crl.O.P.No.31689 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 09.03.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.31689 of 2022
and Crl.M.P.No.19393 of 2022

V.C.Maniraj @ Manikandan

...Petitioner

Vs.

The State by
Deputy Superintendent of Police,
Economic Offences Wing II Unit,
Coimbatore.
(In Crime No.01 of 2013)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.19 of 2013 and to set aside the daily order dated 08.11.2022 passed by the Learned Special Court established under the Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997, Coimbatore.

For Petitioner : Mr.T.Padmanabhan

For Respondent : Mr.S.Santhosh

Government Advocate (Criminal side)

ORDER



Crl.O.P.No.31689 of 2022

This Criminal Original Petition has been filed calling for the records in C.C.No.19 of 2013 and to set aside the daily order dated 08.11.2022 passed by the Learned Special Court established under the Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997, Coimbatore.

2. The learned counsel for the petitioner submitted that so far 2522 witnesses had been dispensed by the prosecution. These witnesses are the depositors for whom the accused had given gold coins, Emu birds and transferred money to the bank account. Unless they are examined as witnesses, it is very difficult to prove the distribution of gold coins, Emu birds and transfer of money to their account.

3. In the light of the submission, this Court directs the petitioner to file a petition before the learned Special Judge under Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997, Coimbatore with the details of witnesses along with the particulars of gold coins, Emu birds given and amount transferred to their account with necessary proof.



Crl.O.P.No.31689 of 2022

4. On filing of such petition, the learned Special Judge under Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997, Coimbatore is directed to dispose of the petition in the manner known to law.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous petition is closed.

09.03.2023

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Index: Yes/No

Speaking Order: Yes/No

G.CHANDRASEKHARAN.J.,



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Crl.O.P.No.31689 of 2022

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To

1. The Special Judge under Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997, Coimbatore.
2. The Deputy Superintendent of Police,
Economic Offences Wing II Unit,
Coimbatore.
3. The Public Prosecutor,
High Court of Madras.

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