



W.P(MD)No.15247of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.15247 of 2022

S.Balakrishnan

... Petitioner

Vs.

1.The Superintendent of Police,
Economic Offences Wing,
Chennai.

2. The Inspector of Police
Economic Offences Wing,
Madurai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to furnish the deposit receipts given by the petitioner before the committee being constituted by this Court in W.P(MD) No. 26735, 27067 and 27280 of 2019 vide order dated 12.03.2020 so as to enable the committee to ensure that early settlement is made to such deposit holders by disposing the properties of the accused persons shown in the First Information Report in Crime No.2 of 2017 pending on the file of the second respondent.

For Petitioner : Mr.R.Anand

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)



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ORDER

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This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the directing the second respondent to furnish the deposit receipts given by the petitioner before the committee being constituted by this Court in W.P(MD) No.26735, 27067 and 27280 of 2019 vide order dated 12.03.2020 so as to enable the committee to ensure that early settlement is made to such deposit holders by disposing the properties of the accused persons shown in the First Information Report in Crime No.2 of 2017 pending on the file of the second respondent.

2.The grievance of the petitioner is that one A.Senthilvel being a Managing Director has run a non banking financial institution in the name and style of APSAL India and one Leon actively participated in the said business. During the course of business they have invited the investors to cause their deposits on assurance that on attainment of maturity their deposits either would be returned with an attractive rate of interest or they would be given with properties equal to the value of the maturity amount. Believing him, the petitioner has introduced six pesons



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and they started investing amount which comes around Rs.3,87,00,000/-

Further the Directors of the said company on the said date of maturity failed to return the money. On enquiry the petitioner came to under stand that with the help of that money they have purchased number of properties throughout Tamil Nadu. There are number of depositors and they have also been cheated. Over all calculation would show that the Directors have cheated amount to the tune of Rs.100 Crores and those money have been converted into property. Hence the depositors have approached the second respondent and preferred complaint for taking action as against the Directors for which a case has been registered in Crime No.2 of 2017. Thereafter the petitioner herein approached the second respondent to give statement enclosing copy of deposit receipts issued by the accused persons acknowledging the receipt of payment. For which the accused persons submitted a representation dated 27.11.2019 stating that they intend to settle the money by way of selling the property and approached this Court by filing a Writ Petition in W.P(MD) No.26735 of 2019 and this Court by an order had appointed Hon'ble Justice Suthanthiram(Retd) as Head of the committee and the second respondent was directed to extent his assistance with the support of the Manager of the said company. The said company was given some



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direction with regard to the disposal of the company's property and to raise funds thereon and ultimately payback the same to the depositors and the said company is functioning from the month of March. Hence the depositors have approached the second respondent to furnish the receipts inconnection with the deposits till now they are unable to get the receipts, hence the present petition came to be filed.

3.Hears the learned Government Advocate (Crl. Side).

4. It is stated that the Chairman of the committed has resigned. The petitioner can only get copy of deposit receipts and not original receipts. Hence the second respondent is directed to give the copy of the above said receipts to the petitioner with due acknowledgment.

5. With the above direction, this Writ Petition stands disposed of.

No costs.

04.12.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

1. The Superintendent of Police,
Economic Offences Wing,
Chennai.
2. The Inspector of Police
Economic Offences Wing,
Madurai
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J

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Order made in
W.P(MD)No.15247 of 2022

Dated :04.12.2023