



Crl.O.P.(MD).No.23447 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.23447 of 2023

1.R.Jakkaiappan

2.S.Ramasamy

... Petitioners

Vs.

The State Rep by
The Inspector of Police,
District Crime Branch,
Theni District, Theni.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct to refund the deposit each of Rs. 70,000/- with interest deposit in C.C.No.4 of 2009 on the file of the Special Court, TNPID, Madurai.

For Petitioners : Mr.KPS.Palanivelrajan
for M/s.K.P.S. Law Associate

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This petition has been filed to direct the Special Court, TNPID, Madurai, to refund the amount of Rs.3,50,000/- (70,000 x 5) already deposited in C.C.No.4 of 2009 with interest.



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2.The petitioners were facing the trial in C.C.No.4 of 2009 on the file of the Special Court, TNPID, Madurai. They were arrayed as A2 & A3 along with other accused. Thereafter, the case ended in acquittal by the order dated 25.10.2019. During the pendency of the investigation of trial, these petitioners have deposited a sum of Rs.3,50,000/- to the credit of C.C.No.4 of 2009. That amount belongs to L.W.13 namely, Miss.Regu. She did not appear before the trial Court. She was reported to be dead on 12.04.2015 without having any legal heirs. But, at the time of passing judgment, no order was passed by the trial Court over the amount deposited.

3.Hence, proper enquiry is ought to have been undertaken by the trial Court as to the entitlement of the deposited amount.

4. For that purpose, there shall be a direction to the Special Court, TNPID, Madurai, to conduct enquiry in to entitlement by summoning the concerned parties.

5. Let the enquiry be completed within a period of 2 months from the date of receipt of a copy of this order. Depending upon the out come of the enquiry, further action may be taken.



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6. With the above direction, this criminal original petition stands disposed of.

22.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
dss

To

- 1.The Special Court, TNPID,
Madurai.
- 2.The Inspector of Police,
District Crime Branch,
Theni District, Theni.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madras.



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G.ILANGOVAN,J.

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