



CrI.OP.No.9341 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

CORAM

THE HONOURABLE **DR.JUSTICE G.JAYACHANDRAN**

CrI.O.P.No.9341 of 2024
and CrI.M.P.No.6510 of 2024

1.K.Mariappan Nadar
2.D.Jayakumar Nadar
3.S.Ponraj

... Petitioners

Vs.

1.The State, Rep. by its
Inspector of Police
Economic Offence Wing-II
Guindy, Chennai 600 032

2.Anuradha

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, call for the records pertaining to Crime No.7 of 2021 on the file of the first respondent police and quash the same as illegal, arbitrary and against law as far as the petitioners / accused 7 to 9 are concerned.

For Petitioners : Mr.Durai Kannan

For Respondents : Mr.S.Udaya Kumar
Government Advocate (CrI. Side) - R1

No Appearance - R2



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ORDER

WEB COPY The complaint on 18.03.2021 filed against the Administrators of the Ambathur Nadargal Paribalana Sangam (hereinafter referred to as Sangam), which has collected chit amount to the tune of Rs.4,50,00,000/- and failed to repay the entire amount to the depositors.

2.The petitioners who are arrayed as A7 to A9 were originally not included in the F.I.R., but later included pursuant to the direction of this Court. The learned counsel for the petitioner submitted that these petitioners have nothing to do with the alleged cheating and breach of trust. At the most, they should have been included as witnesses in the trial, but unfortunately added as accused.

3.The learned Government Advocate (Crl. Side) submits that since there were materials to add these petitioners as accused pursuant to the direction of this Court, they were added as accused and investigation is on. If no criminality is made out against these petitioners at the end of the investigation, their names will be dropped. Being the office bearers of the Sangam, the element of liability to pay the chit subscribers is on



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the petitioners and therefore, there is prima facie material to proceed against them for not repaying the money collected as deposit through chit.

4.This Court finds that this petition is too premature to hold that these petitioners are innocents. Unless and until the investigation gets completed, there cannot be any interference to quash the complaint against these petitioners who are admittedly the office bearers of the Sangam, which has cheated the subscribers.

5.This petition accordingly stands dismissed with liberty to the petitioners to approach the Court if necessary after completion of investigation and filing of final report. Consequently, the connected miscellaneous petition is closed.

17.04.2024

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Index: Yes / No
Neutral Citation



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Dr.G.JAYACHANDRAN,J.

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To

1.Inspector of Police
Economic Offence Wing-II
Guindy, Chennai 600 032

2.The Public Prosecutor
High Court of Madras
Chennai 600 104

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