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Crl.R.C.No.644 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2024

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THE HONOURABLE MR.JUSTICE M. DHANDAPANI

Crl.R.C.No.644 of 2022

Chandramouli

.... Petitioner

Versus

The Inspector of Police,
City Crime Branch,
Coimbatore Branch.
Crime No.16/2021

.... Respondent

Prayer: The Criminal Revision Case is filed under Section 397 r/w Section 401 of Cr.P.C. against the order dated 10.11.2021 passed by the learned Judicial Magistrate No.VII, Coimbatore, in Crl.M.P.No.22709 of 2022 and prayed to set aside the same.

For Petitioner : Mr.A.Saranraj
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

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ORDER

The present Criminal Revision Case has been filed against the order dated 10.11.2021 passed by the learned Judicial Magistrate No.VII, Coimbatore and prayed to set aside the same.

2. The case of the petitioner is that the petitioner is arrayed as first accused in Crime No.16 of 2021 for the offences under Section 120B, 406 and 420 of IPC and subsequently, altered into Sections 120B, 420, 465, 467, 468 and 471 of IPC and Section 65 of the Information Technology Act and the seven accounts stand in the petitioner were freezed by the Law Enforcement Agency vide order dated 13.08.2021 and due intimation was given to the trial Court on 17.08.2021, following the procedure laid down under Section 102 Cr.P.C. Further, the petitioner has filed a petition under Section 457 of Cr.P.C for de-freezing the accounts before the trial Court and the same was dismissed. Challenging the same, the present Criminal Revision Case has been filed.



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3. The learned counsel for the petitioner submitted that the petitioner herein and his friend named Balasubramanian, who is the husband of the defacto complainant were the partners of the Partnership firm namely "TEJASWANI & CO" and the said Balasubramanian died in an road accident on 04.01.2020 and thereafter, it is alleged that the petitioner has obtained the signatures of the defacto complainant in partnership deed and included the defacto complainant and the wife of the present petitioner as partners. It is further alleged that the petitioner has erased the details stored in the mobile phone belonged to deceased partner and subsequently, the petitioner refused to entertain the defacto complainant and his daughter inside the business place and therefore, the defacto complainant made a complaint before the Law Enforcement Agency and hence, the Law Enforcement Agency registered the complaint. During the investigation, the Law Enforcement Agency issued a letter dated 25.03.2021 to the several banks in which the bank accounts were maintained in the name of the partnership firm and the petitioner's personal name to freeze the account for the purpose of investigation. Accordingly, the bank accounts were freezed



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as early as 24.03.2021. Further, the learned counsel for the petitioner submitted that pursuant to the investigation, the Law Enforcement Agency had filed a charge sheet before the trial Court. Challenging the same, the petitioner had filed a petition in Crl.O.P.No.20216 of 2023 before this Court and the same is pending.

4. In view of the above, the learned counsel appearing for the petitioner submitted that liberty may be given to the petitioner to canvass all those points before the trial Court after disposal of Crl.O.P.No.20216 of 2023 by this Court.

5. Recording the above-said submissions, this Criminal Revision Case is dismissed with liberty to the petitioner to workout his remedy before the trial Court in the manner known to law, after disposal of Crl.O.P.No.20216 of 2023 by this Court.

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To

1. The Judicial Magistrate No.VII
Coimbatore.
- 2.The Inspector of Police,
City Crime Branch,
Coimbatore Branch.
3. The Public Prosecutor,
High Court of Madras.



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M. DHANDAPANI, J.

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