



Crl.O.P.No.23934 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.09.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23934 of 2024

Bhuvaneswari

.. Petitioner

/versus/

1.The Inspector of Police,
H-1, Old Washermanpet Police Station,
Chennai District.
(Crime No.1452 of 2017)

..1st Respondent/
Complainant

2.R.Zarina Begum

.. 2nd Respondent/
Accused

Criminal Original Petition has been filed under Section 428 of Cr.P.C.,to call for the records and set aside the order in Crl.M.P.No.5374/2024 dated 31.07.2024 by the learned XV Metropolitan Magistrate Court-George Town, Chennai and further direct the learned XV Metropolitan Magistrate Court-George Town, Chennai to disburse the amount of Rs.2,00,000/- deposited in Crime No.1452 of 2017 dated 03.04.2018 by the 2nd respondent.



Crl.O.P.No.23934 of 2024

WEB COPY

For Petitioner :Mr.P.Muthamizh Selvakumar

For R1 :Mr.K.M.D.Muhilan,
Govt.Advocate (Crl.Side)

ORDER

The petitioner herein, who is the defacto complainant, is before this Court, being aggrieved by the dismissal of her petition to get back Rs.2,00,000/- deposited by the accused as a pre-condition to get bail.

2. The learned counsel appearing for the petitioner states that since Rs.7,20,000/- been cheated by the accused, the defacto complainant is entitled to get back the money, which is deposited by the accused.

3. From the reading of the complaint and the statement of the learned Government Advocate (Crl.Side), it appears that this petitioner is not only the victim of the cheating, there are 46 depositors, who lost their money and investigation not yet completed.



Crl.O.P.No.23934 of 2024

WEB COPY

The conditional deposit made by the accused without prejudice her right cannot be given to the petitioner/defacto complainant. Hence, this Criminal Original Petition stands dismissed.

27.09.2024

Index:yes/no

Neutral citation:yes/no
ari

To:

- 1.XV Metropolitan Magistrate Court-George Town, Chennai.
- 2.The Inspector of Police, H-1, Old Washermanpet Police Station, Chennai District.
- 3.The Public Prosecutor, High Court, Pondicherry.



WEB COPY



Crl.O.P.No.23934 of 2024

DR.G.JAYACHANDRAN,J.

ari

Crl.O.P.No.23934 of 2024

27.09.2024