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Crl.R.C. No. 446 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2024

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THE HON'BLE MR. JUSTICE M. NIRMALKUMAR

Criminal Revision Case No. 446 of 2023

Mr.E. Maheswaran @ Mahesh ..Petitioner

Vs.

1. Mrs. Pushpalatha
2. Mr. B. Jayakumar
3. Mr. K. Jagadeesh
4. The Inspector of Police,
Team XXXII, Chit and Kandhu Vatti,
Central Crime Branch,
NO. 132,
Commissioner of Police Office Campus,
E.V.K. Sampath Salai, Vepery,
Chennai – 600 007.
5. Mr.T.P. Selvam
6. Mr. Karthik
7. Mrs. B. Dhanalakshmi ..Respondents

Prayer: Criminal Revision Petition filed under Section 397 r/w 401

Cr.P.C. to call for the records in Crl.M.P. No. 10 of 2022 on the file of the



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Judicial Magistrate No.1, Alandur and to set aside the order passed in
Crl.M.P. No. 10 of 2022 dated 13.06.2022 on the file of Judicial Magistrate
No.1, Alandur.

For Petitioner :: Mr.P. Venugopal

For Respondents :: Mr.N. Srinivasalu
for R1 and R2

O R D E R

In continuation of the order passed by this Court on 12.09.2024,
learned Public Prosecutor has filed status report wherein at paragraph No.5,
it is stated as follows:

*'5. It is submitted that in the meantime, the following victims
(list furnished by the petitioner) were verified towards conduct
and collection of chit amount by Tmt. Vijayalakshmi and others
from them:*

- 1) Tmt. Revathi F/A 38 W/o. Lakshmipathy, No. 1/47, 1st street, Peria Kovilambakkam, Chennai – 127.
- 2) Tr. V. Balaji M/A 33 S/o. Viswanathan, No.9, 3rd Street, Karthik Nagar, Kamarajar Nagar, Thiruvallur District.
- 3) Tmt. Shanthi F/A 55 W/o. Kandiban, No.21/23, Porchezhian Street, Ullagaram, Chennai – 91.
- 4) Tmt. Vijaya Nirmala F/A 56 W/o. Elumali, No.22/7, Porchezhian Street, Ullagaram, Chennai – 91.
- 5) Tmt. Radhakrishnan M/a 34 S/o. Venkatesn, No.15/20, Porchezhian Street, Ullagaram, Chennai – 91.
- 6) Tmt. Sathya F/A 35 W/o. Arul Jothi, No.11/14,



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Porchezhian Street, Ullagaram, Chennai – 91.

7) *Tr. Sanjaykumar M/A 30 S/o. Sridhar, No.11/14, Porchezhian Street, Ullagaram, Chennai – 91.*

8) *Tr.G. Balaji M/A 43 S/o. Govindasamy, No.3/30, Porchezhian Street, Ullagaram, Chennai – 91.*

9) *Tmt. Lakshmi F/A 62 W/o. Vijayakumar, No. 5/12, Chozhan Street, Ullagaram, Chennai – 91.*

2. It is submitted by the learned Public Prosecutor that except for the petitioner herein, the other subscribers, who have been examined admitted that they were subscribers to the indigenous chit conducted by Vijayalakshmi for more than 15 years and as long as she was alive, she was regularly paying dividends and the chit was successful. After her demise, the money given by Vijayalakshmi to others got locked and thereafter, chit was not conducted. As far as 1st and 2nd respondents are concerned, who are daughter and son-in-law of Vijayalakshmi, they are married and living separately having nothing to do with the chit conducted by Vijayalakshmi. The 3rd respondent is the son of Vijayalakshmi and he is employed abroad. The respondent Police continuing with the enquiry and will complete the same within a stipulated period. Depending upon the materials collected, further action would be taken and enquiry can be completed within a period



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of six weeks.

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3. Learned counsel for 1st and 2nd respondents today appeared and submitted that the petitioner is causing harassment by giving false complaints followed by false propoganda as though the 1st and 2nd respondents were involved in the chit conducted by Vijayalakshmi, the mother of the 1st respondent. Respondents 1 and 2 got married on 15.11.2002 and they are living separately and they have nothing to do with the indigenous chit conducted by Vijayalakshmi. Respondents 1 and 2 have also filed a suit in O.S. No. 7145 of 2021 against the petitioner and some others which is pending before the XV Assistant Judge, City Civil Court, Chennai. The petitioner is the 9th defendant in the said suit, who after receipt of summons failed to appear and hence, he was set ex parte on 18.10.2024. Feeling shy to fight the Civil Suit, the petitioner did not appear there, but filed the above petition. He further submitted that the civil suit is pending for service of summons on Defendant Nos. 11 to 14.

4. Learned counsel for the petitioner submitted that the petitioner



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was not aware of the suit and now, after coming to know about the pendency of the suit, appropriate petition would be filed. He would further submit that filing of civil suit would not absolve respondents 1 to 3 of misappropriation and cheating the petitioner.

5. Heard both sides.

6. In view of the undertaking given by the learned Public Prosecutor that the enquiry would be completed within a stipulated period, six weeks time is granted to complete the enquiry.

7. The criminal revision petition stands disposed of with the above direction.

19.10.2024

nv

To

1. The Court of Judicial Magistrate No.1,
Alandur.

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2. The Inspector of Police,
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Commissioner of Police Office Campus,
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3. The Public Prosecutor,
High Court, Madras.

M. NIRMALKUMAR,J.

nv



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