



Crl.O.P.No.26654 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.26654 of 2023

N.Gopinath
S/o.Natesan

...Petitioner

Vs.

State represented by
The Inspector of Police,
District Crime Branch,
Namakkal District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to withdraw the case in C.C.No.681 of 2019 on the file of Judicial Magistrate I, Namakkal and transfer the same to Special Court for TNPID Act cases, Coimbatore.

For Petitioner : Mr.S.Sheik Ismail

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



Crl.O.P.No.26654 of 2023

ORDER

This Criminal Original Petition has been filed seeking to withdraw the case in C.C.No.681 of 2019 on the file of Judicial Magistrate I, Namakkal and transfer the same to Special Court for TNPID Act cases, Coimbatore.

2. When the matter was taken up for hearing, learned Additional Public Prosecutor submitted that a petition has been filed before the Judicial Magistrate I, Namakkal, in M.P.No.3 of 2024 in C.C.No.681 of 2019 and the same reads as follows:

"It is submitted that in the above case the investigation was completed on 09.06.2023 and laid charge sheet against the accused u/s.120 (B), 406, 420 IPC.

Now the defacto complainant has filed a petition before the Hon'ble Madras High Court in Crl.OP.No.26654/2023 praying to add section 5 of the Tamil Nadu Protection of Interests of Depositors Act, 1997 (TNPID Act) and also requested to transfer the case to TNPID Court Coimbatore.

It is submitted that in the above case totally Rs.11,31,97,073/- amount of cheating was involved against 104 depositors and the cheating amount has to be recovered from the accused and the same has to be returned to the depositors as for the provisions of the TNPID Act and rules.

Therefore it is requested that the section may be altered from u/s.120(B), 406, 420 IPC in to u/s.120(B), 406, 420 IPC with 5 of TNPID Act and the case may kindly be transferred to Coimbatore



Crl.O.P.No.26654 of 2023

TNPID Act (Special Court) on the subject matter of the Jurisdiction."

WEB COPY

3. In view of the above, there shall be a direction to the learned Judicial Magistrate I, Namakkal, to act upon the petition and to alter the charges and transfer the case to the file of the TNPID Court, Coimbatore, within a period of four (4) weeks from the date of receipt of a copy of this order.

This Criminal Original Petition is disposed of with the above direction.

23.02.2024

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

gm

To

1. The Judicial Magistrate No.1, Namakkal

2. The Inspector of Police,
District Crime Branch
Namakkal District.

3. The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J



WEB COPY



CrI.O.P.No.26654 of 2023

gm

CrI.O.P.No.26654 of 2023

23.02.2024