



CrI.O.P.No.1502 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2024

CORAM

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.O.P.No.1502 of 2024

State represented by,
SPE, CBI, EOB, Chennai,
In RC0692019E0002.

... Petitioner

Vs.

1. M/s. Parivar Dairies and Allied Limited,
Parivar Bhawan, D.No.302-303,
Ganesh Plaza, Gole Ka Mandir,
Gwalior – 474 005, Madhya Pradesh.
2. M/s. PDA Foundation
G-4/25-26, Sector-16, Rohini,
Delhi – 110 085.
3. Basant Lal Sharma
4. Rakesh Singh Narwaria
5. Ahibaran Singh, Shri Narendra Singh @ Sikandar Singh



CrI.O.P.No.1502 of 2024

6. Neeraj Singh

7. R.Deivam

8. Bhanu Pratap Singh

9. M/s. Parivar Real Estate and Developers Pvt. Ltd,
RB-1, Ground Floor, Front Side,
Inderpuri, New Delhi – 110 012.

... Respondents

PRAYER : Criminal Original Petition filed under Section 407 r/w 482 of Criminal Procedure Code, pleaded to direct transfer of the First Information Report in RC0692019E0002 along with all case papers connected thereto at present pending before the learned Special Judge for TNPID Cases, Chennai to the learned Special Judge for TNPID Cases, Madurai and merge the FIR with the FIR in RC0692018E0008.

For Petitioner : Mr.K.Srinivasan
Special Public Prosecutor for CBI

ORDER

This Criminal Original Petition has been filed seeking to direct transfer of the First Information Report in RC0692019E0002 dated 15.03.2019 along with all case papers connected thereto at present pending before the learned



CrI.O.P.No.1502 of 2024

Special Judge for TNPID Cases, Chennai to the learned Special Judge for TNPID Cases, Madurai and merge the FIR with the FIR in RC0692018E0008.

2. When the matter was taken up on 08.02.2024, this Court finding that there are more than eighteen thousand witnesses spread across various Districts of South Tamil Nadu in respect of the cases registered in Madurai in RC0692018E0008 and also finding that there are more than twenty thousand witnesses are from various Districts of North Tamil Nadu. with respect to the First Information Report in RC0692019E0002, had directed the learned Special Public Prosecutor for CBI to come out with correct particulars and the learned Special Public Prosecutor for CBI also submitted that he would discuss with the respondent with regard to the convenience of the witnesses and thereafter, report with regard to the transfer of the case.

3. Today, the learned Special Public Prosecutor for CBI filed an Additional Affidavit on behalf of CBI, in which the chart (tabulated below) containing the list of depositors/witnesses, who are spread across various districts of Tamil Nadu, has been furnished.



WEB COPY



CrI.O.P.No.1502 of 2024

<i>S.No.</i>	<i>Branch Code</i>	<i>Place of the Branch</i>	<i>No. of Deposits</i>	<i>Total</i>
1	015	Chennai	12017	32677
2	017	Tiruttani	5468	
3	022	Kanchipuram	7500	
4	019	Erode	1440	
5	025	Perambalur	6252	
6	014	Madurai	6774	28168
7	016	Thanjavur	4930	
8	018	Theni	3268	
9	020	Virudhunagar	8001	
10	021	Ramanathapuram	1211	
11	023	Marthandam	641	
12	024	Sivagangai	3343	
Total			60845	60845

4. This Court, finding that the total number of witnesses is about 60845, enquired the learned Special Public Prosecutor for CBI, whether it would be possible for the respondent to complete the trial with 60845 witnesses within a reasonable time.



WEB COPY

5. The learned Special Public Prosecutor for CBI submitted that more than sixty thousand depositors/victims had been cheated by the accused and if all the victims are to be examined, it will take a longer time to complete the trial and it will be a wasteful exercise. Therefore, the respondent is contemplating seeking permission from the trial Court to conduct further investigation and to mark the original deposit receipts through Nodal officers, without examining the depositors/witnesses.

6. He further submitted that the respondent is also trying modalities of collecting the deposit receipts and marking them through Nodal officers after obtaining appropriate permission from the trial Court. He also submitted that as far as the case pending in Madurai Court in RC0692018E0008 is concerned, most of the original deposit receipts have been collected, however, in respect of the case pending in Chennai in RC0692019E0002, the original deposit receipts have not been collected so far. He also submitted that the exercise of collecting the original deposit receipts would be completed first and if necessary, a transfer application would be filed at a later point of time. Therefore, he prayed that suitable orders



CrI.O.P.No.1502 of 2024

may be passed.

WEB COPY

A.D.JAGADISH CHANDIRA, J.

7. Taking into consideration the facts and the submissions made by the learned Special Public Prosecutor for CBI, this Court is of the opinion that the respondent can approach the trial Court concerned, seeking permission to conduct further investigation and to mark the original deposit receipts through Nodal officers and this Court also finds that there is no requirement of passing any orders on the transfer petition at this stage.

8. Accordingly, the Criminal Original Petition stands closed, However, the respondent is at liberty to file a fresh application for transfer, if necessary.

22.02.2024

Index : Yes / No
Speaking / Non-speaking
Neutral Citation : Yes / No
ham

To
1. SPE, CBI, EOB, Chennai.
2. The Special Public Prosecutor for CBI,

6 / 7



High Court of Madras.

WEB COPY



CrI.O.P.No.1502 of 2024

CrI.O.P.No.1502 of 2024