



Crl.O.P.(MD).No.14998 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 25.07.2024

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.O.P(MD).No.14998 of 2020

and

Crl.M.P(MD). No.7186 of 2020

1. P.Gowtham Kumar

2. K.Narayanan

3. P.Sumathi

... Petitioners/Accused No.1 to 3

Vs.

1. The State Rep. by its
The Inspector of Police,
District Crime Branch,
Madurai District,
(Crime No.25/2019)

... Respondent/Complainant

2. R.Nagarajan

... Respondent/Defacto Complainant

3. The Superintendent of Police,
Madurai District

... Respondent

*(R3 is suo motu impleaded as per the order of the Court dated
30.11.2023 in Crl.O.P(MD).No.14998/2020)*



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PRAYER: Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records pertaining to the F.I.R. In Crime No.25/2019 on the file of the 1st respondent police and Quash the same as illegal.

For Petitioners : Mr.J.Jeyakumaran

For R1 and R3 : Mr.S.Ravi,
Additional Public Prosecutor

For R2 : Mr.K.Seemaraj

ORDER

The petitioner has filed this petition to call for the records pertaining to the FIR in Crime No.25 of 2019, on the file of the first respondent police and quash the same as illegal.

2.Even as per the allegation in the FIR, the defacto complainant and the accused have collected the amount from the innocent depositors and it is the case of the defacto complainant that deposited amount is not settled by the accused persons. In the said circumstances, it is seen from the records that the defacto complainant has also committed an offence under the Tamil Nadu Protection of Interests of Depositors (Act).



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3. Therefore, on the earlier occasion, this Court *suo motu* impleaded the Superintendent of Police, Madurai District. In view of the above factual circumstances, the Superintendent of Police is hereby directed to transfer the case from District Crime Branch to Economic Offences Wing and directed to alter the FIR into the relevant provision of the Act and also it is open to the officer to include the defacto complainant as accused under the Act.

4. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents 1 and 3 submitted that the Economic Offences Wing-I, Madurai has registered the FIR and the petitioners were arrayed as accused. He further submitted that within a short time, the investigation will be completed and the final report will be filed before the concerned Court within six months.

5. In view of the above submission made by the learned Additional Public Prosecutor, this Court directs the Economics Offences Wing -I, Madurai, to complete the investigation and to file a final report within a period of six months from the date of receipt of a copy of this order.



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6. With the above directions, this Criminal Original Petition is disposed of.

Consequently, the connected miscellaneous petition is closed.

25.07.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
tta /sbn

To

1. The Superintendent of Police,
Madurai District.
2. The Inspector of Police,
District Crime Branch,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.K.RAMAKRISHNAN, J.

tta/sbn

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