



Crl.O.P.(MD)No.22320 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.22320 of 2024

and

CrI.M.P(MD) No.13883 of 2024

T.S.Govindaraj

: Petitioner

Vs.

1. The Deputy Superintendent of Police
Economic Offences Wing-II
Tiruchirapalli District

2. Murugavel

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the proceedings in C.C.No. 31 of 2013 on the file of the Special Court for TNPID Cases, Madurai and quash the same in so far as petitioner/accused no. 4 is concerned .

For Petitioner : Mr.S.Siva Sudhan

For Respondents : Mr.A.Thiruvadikumar
No.1 Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to quash the proceedings in C.C.No. 31 of 2013 on the file of the Special Court for TNPID Cases, Madurai,

2.The contention of the petitioner is that A1 and A2 are companies and A3 is the Managing Director of A1 and A2. The petitioner being father of A3 has been falsely implicated in this case. The entire transaction has been conducted by the company and his employees and the petitioner got nothing to do with the transaction of the petitioner and he has been falsely implicated in this case. The petitioner is a senior citizen aged about 76 years with health ailments and hence filed this application. He fairly submitted that in this case there are totally 85 witnesses in this case and no specific overt act has been attributed by any of the witnesses against this petitioner.

3. The learned Additional Public Prosecutor strongly opposed the contention made by the learned counsel appearing for the petitioner stating that the petitioner's son had started business in the name of A1 and A2 and he had introduced a new deposit scheme giving 60% returns for



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the investment made. The petitioner being father had actively taken part in the A1 and A2 company along with A3. There are witnesses who have clearly spoken about the petitioner along with A3 collected deposits from the public with fraudulent intention to cheat them by promising higher rate of interest. In the first company there are 57 depositors and the amount collected is Rs. 2,42,79,868/- and in the second company there are 71 depositors and the amount collected is Rs. 2,73,71,368/- He further submitted that in this case trial is at the penultimate stage and the accused persons have been questioned under Section 313 of Cr.P.C., and the case stands posted for arguments on 19.12.2024. The petitioner can very well make his defence at the time of argument based on evidence.

4. In view of the same, this Court is not inclined to entertain the petition at this stage and the Criminal Original Petition stands dismissed . The contention of the petitioner can be decided by the trial Court while deciding the case. Consequently connected miscellaneous petition stands closed.

18.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Special Court for TNPID Cases, Madurai
2. The Superintendent of Police
Dindigul District
Dindigul
3. The Inspector of Police
Dindigul Taluk Police Station
Dindigul District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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