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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.12.2024

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P(MD) Nos.22349 to 22352 of 2024

K.Chellam

.. Petitioner in Crl.O.P(MD) No.22349 of 2024

S.Julaikha

.. Petitioner in Crl.O.P(MD) No.22350 of 2024

S.Govindaraj

.. Petitioner in Crl.O.P(MD) No.22351 of 2024

I.Pannirselvam

.. Petitioner in Crl.O.P(MD) No.22352 of 2024

Vs.

The Inspector of Police
Economic Offences Wing,
No.4/425, A Sankarapandian Nagar,
Thabalthanthi Nagar Extension,
Madurai

.. Respondent in all the petitions

COMMON PRAYER : Criminal Original Petitions filed under Section 528 of BNSS, to direct the respondent to include the petitioner as a witness in Crime No. 5/2023 dt. 28.08.2023 on the file of the respondent police on the basis of the petitioner's representation dated 05.12.2024 and file the final report within the time stipulated by this Court.



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In all petitions:

For Petitioner : Mr.G.Thiruvvarutselvan

For Respondent : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

COMMON ORDER

These Criminal Original Petitions have been filed to direct the respondent to include the petitioner as a witness in Crime No. 5/2023 dated 28.08.2023 on the file of the respondent police on the basis of the petitioner's representation dated 05.12.2024 and file a final report within the time stipulated by this Court.

2. The petitioners who are depositors of MMS Health Care Technologies Pvt Ltd on their complaint a case in Crime No. 5 of 2023 was registered on 28.08.2023 for the offences under Sections 405,420, 34 of IPC and Section 5 of TNPID Act. Totally the First Information Report had been registered against seven persons in which A1 is the Company.

3. The contention of the petitioners is that the respondent police after registration of the case had become calm and had not conducted proper investigation and the case is kept under the stage of investigation. The petitioners, who are depositors had lost their hard



earned money and now fearing that the entire money could not be recovered.

4. The learned Additional Public Prosecutor strongly objected the contention raised by the petitioners and stated that in this case there are totally seven accused in this case, first accused in the company and the other accused are the Directors and persons who directly involved in the management of the company. They have also lured the money of the depositors under various schemes. In this case there are totally 118 depositors and the total money collected is Rs.4,46,96,871/-. Now in this case investigation is completed. He submitted that electronic evidence had been sent to Forensic Laboratory on 23.08.2024 and immediately after receipt of report charge sheet will be filed. Further the petitioners in this case are List Witnesses viz., L.W. Nos. 23, 37, 35 and 34 respectively in the charge sheet. Once the charge sheet is filed steps will be taken to complete the trial as expeditiously as possible.

5. In view of the same, this Court directs the Deputy Director, Regional Forensic Laboratory, Madurai to complete the examination and sent a report within a period of one month from the date



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of receipt of a copy of this order. After receipt of report within two weeks the respondent police shall file a final report before the concerned Court and thereafter the trial Court shall proceed with the case without any further delay.

6. With the above direction, these Criminal Original Petitions stand disposed of.

18.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
PNM

To

1. The Inspector of Police
Economic Offences Wing,
No.4/425, A Sankarapandian Nagar,
Thabalthanhi Nagar Extension,
Madurai
2. The Deputy Director,
Regional Forensic Laboratory, Madurai
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

PNM

COMMON ORDER IN

Crl.O.P(MD) Nos.22349 to 22352 of 2024

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