



Crl.RC.No.67 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.67 of 2025

D.Dhanamohan

... Petitioner

Vs.

The State represented by
The Deputy Superintendent of Police
Economic Offences Wing-II
Ashok Nagar
Chennai - 600 083
(Crime No.16 of 2022)

... Respondent

Prayer: Criminal Revision Case filed under under Section 397 (1) read with 401 of Criminal Procedure Code, to call for the records and set aside the order passed in Crl.M.P.No.2335 of 2024 (in the Court of the Special Court for TNPID Cases, Chennai) dated 12.12.2024.

For Petitioner

: Mr.D.Ashok Kumar

For Respondents

: Mr.E.Raj Thilak

Additional Public Prosecutor and

Mr.S.Sugendran

Additional Public Prosecutor



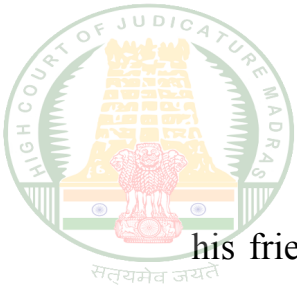
Crl.RC.No.67 of 2025

ORDER

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This Criminal Revision Case has been filed by the petitioner to set aside the order passed in Crl.M.P.No.2335 of 2024 on the file of the Court of the Special Judge for TNPID Cases, Chennai) dated 12.12.2024.

2. The case of the petitioner is that the petitioner's friends had introduced one Mohanbabu to the petitioner. The said Mohanbabu's elder brother Lakshminarayanan is running a IFS (International Finance Service) at Guindy, Chennai for past several years. While so, based on the false representation made by the said Mohababu that if the petitioner invests money in the said company, he could earn profit of 10% as monthly interest from the invested amount, the petitioner along with his friends had invested a sum of Rs.54 lakhs. Further, the said Mohanbabu offered the team leader position and forced the petitioner to get investments from the known general people and the said Mohanbabu also assured that would take the whole responsibility for the amount invested by the petitioner and his friends. While so, the petitioner and



Crl.RC.No.67 of 2025

his friends were cheated by the said Mohanbabu and based on the complaint

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given by one Kumar, the respondent police registered FIR No.16 of 2022 against the said Mohanbabu. The petitioner also suffered a huge financial loss and sever mental distress due to the act of the said Mohanbabu. While so, to the shock and surprise, the petitioner came to know that the petitioner's two bank accounts in Axis Bank, Thiruvannamiyur Branch in A/c.No.914010038797849 and Indian Bank SB A/c.No.6766125460 at Ekkattuthangal Branch were freezed by the respondent police. Hence, the petitioner filed a petition in Crl.M.P.No.2335 of 2024 before the Special Court for TNPID Cases, Chennai to de-freez the accounts, whereas the learned Special Judge without considering the fact that the petitioner is one of the victims to the crime committed by the accused, dismissed the petition by order dated 12.12.2024. Hence, the present revision is filed.

3. The learned counsel for the petitioner submitted that the petitioner is neither an accused nor witness or guarantor and that he is no way connected



Crl.RC.No.67 of 2025

with the offence committed by the accused. The petitioner is one of the victims to the crime committed by the accused. Further, the frozen amount is not at all involved in this case. Therefore, he prays to de-freeze the accounts of the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner was acting as an agent and he was also a team leader of the accused company. On the instigation of the petitioner, the victims who are his friends and relatives have deposited amount with the accused. Whether the frozen amount is involved in this crime or not that can be decided only after trial. Just because the petitioner has not been arrayed as an accused, it does not mean that the frozen amount is not involved in this crime.

5. Heard both sides and perused the materials available on record.

6. A perusal of the materials shows prima facie that there is allegations against the petitioner and the frozen amount. The grounds taken by the petitioner are nothing but defence which can be decided only after trial and not



Crl.RC.No.67 of 2025

at this stage.

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7. Therefore, considering the nature of offence and the fact that public money is involved in this case, this Court is not inclined to interfere with the order passed by the Special Judge.

8. Accordingly, this Criminal Revision Case is dismissed.

9. However, the petitioner is at liberty to work out his remedy before the trial Court in the manner known to law.

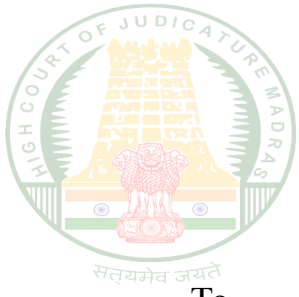
12.02.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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Crl.RC.No.67 of 2025

To
WEB COPY

1. The Special Court under TNPID Act, Chennai
2. The Deputy Superintendent of Police
Economic Offences Wing-II
Ashok Nagar
Chennai - 600 083
3. The Public Prosecutor
High Court of Madras



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Crl.RC.No.67 of 2025

P.VELMURUGAN. J.

Ksa-2

Crl.RC.No.67 of 2025

12.02.2025