



WEB COPY

CRL RC No. 1591 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 1591 of 2024

and

Crl.M.P.No.13226 of 2024

1. S.Ravikumar
S/o. Sivalingam, No.1/447,
Kochalpudur, Thusur, Sendamangalam,
Namakkal.

Petitioner(s)

Vs

1. State Rep.By
Inspector Of Police,
Economic Offence Wing,
Namakkal.

2.M. Kirubakaran
S/o. Muthusamy, Age Unknown,
11/42, Kejakombai, Pottireddipatty
Post, Sendamangalam, Namakkal
District.

Respondent(s)

PRAYER

Criminal Revision Case filed under Section 397 r/w 401 of Criminal Procedure Code, prays to set aside the order made in Crl.M.P.No.134 of 2024 dated 13.06.2024 in CC.No.3 of 2023 on the file of the Special Court under Tamil Nadu Production of Interests of Depositors (In Financial Establishments) Act, Coimbatore.

For Petitioner(s): G.Murugendran

For R1: Dr.C.E.Pratap
Government Advocate (Crl.Side)

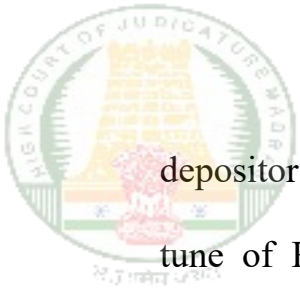


ORDER

WEB COPY The petitioner has filed this Revision to set aside the order made in Crl.M.P.No.134 of 2024 dated 13.06.2024 in CC.No.3 of 2023 on the file of the Special Court under Tamil Nadu Production of Interests of Depositors (In Financial Establishments) Act, Coimbatore.

2. The learned counsel for the petitioner submits that the respondent police deliberately deleted the company as well as another accused, and with an ulterior motive filed the final report against this petitioner alone, without including the financial establishment. It is further contended that the proceedings initiated before the TNPID Court under Section 5 of the Act are not maintainable, as there are no ingredients to attract the said offence against the petitioner. The learned counsel also relies upon grounds (c), (d), (g), and (h) of the appeal.

3. Per contra, the learned Government Advocate (Crl.Side) raised objections, contending that as per the final report, the petitioner projected himself as the Namakkal Branch In-charge of M/s. Green India Commodities Private Limited and induced the general public by giving false promises of doubling the deposited amount. By such inducement, he collected huge sums of money and defaulted in repayment. Based on a complaint lodged by one of the



depositors, it was found that the petitioner had defrauded 12 depositors to the tune of Rs.33,59,450/-. The final report further discloses that the petitioner committed offences punishable under Sections 120B, 420, 406 of the Indian Penal Code and Section 5 of the TNPID Act and Section 3 r/w 21 of BUDS Act. Hence, he alone was arrayed as an accused in the final report.

4. In this case, challenging the final report, filed by the 1st respondent police, the petitioner filed Crl.M.P. No. 134 of 2024 before the Trial Court, under section 227 of Cr.P.C., seeking to discharge him from the case in C.C.No.3 of 2023. After contest, the learned Trial Judge held that there was prima facie material available on record to show that the depositors had deposited money into the personal bank account of the petitioner and that cheques were also issued by him. However, he failed to refund the entire amount as promised. It was further found that the petitioner collected the money in the name of the company by misusing its name, namely M/s. Green India Commodity Private Limited. In view of the prima facie materials available, the learned Trial Judge dismissed the discharge petition. Challenging the said order, the present revision has been filed.

5. The main contention of the petitioner is that since the financial establishment was not made a party to the proceedings, the action initiated by



the respondent police under Section 5 of the TNPID Act against the petitioner alone is not maintainable. However, a perusal of the entire final report reveals that the petitioner was appointed as an authorised person and that he collected money by projecting himself as In-charge of the Namakkal Branch, misusing the name of the company. The prosecution has also collected prima facie materials in support of these allegations.

6. In view of the above, this Court is not inclined to interfere with the order passed by the learned Trial Judge. If the petitioner has any defence, he is at liberty to work out the same before the Trial Court during the course of trial. Accordingly, the revision is dismissed as devoid of merits. Consequently, the connected miscellaneous petition is closed.

17-09-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
rri



To

1.State Rep.By
Inspector Of Police, Economic Offence
Wing, Namakkal.

2.M. Kirubakaran
S/o. Muthusamy, Age Unknown,
11/42, Kejakombai, Pottireddipatty
Post, Sendamangalam, Namakkal
District.

3.The Special Court under Tamil Nadu
Production of Interests of Depositors
(In Financial Establishments) Act,
Coimbatore.



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T.V.THAMILSELVI J.
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