



CrI.R.C.No.1613 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.03.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.R.C.No.1613 of 2023  
and  
CrI.M.P.No.15084 of 2023

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S.Dhamodharan, S/o Sigamani

.. Petitioner

Vs.

The State,  
Represented by Inspector of Police,  
Economic Office Wing-II (U),  
Vellore District.

.. Respondent

Criminal Revision Case filed under Sections 397 and 401 of Cr.P.C. against the dismissal of discharge petition filed in CrI.M.P.No.2936 of 2023, dated 16.08.2023 filed by the petitioner under Section 239 of Cr.P.C. before the Special Court for Tamil Nadu Protection of Interest of Depositors Act, 1997.

For petitioner : No appearance

For respondent: M/s.G.V.Kasthuri, Addl.P.P.

### ORDER

There is no representation for the petitioner and the petitioner is arrayed as A7 in C.C.No.5 of 20190. Pending the said C.C., the petitioner had filed a

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petition to discharge him from the criminal proceedings, by invoking Section 239 Cr.P.C. The said C.C. was dismissed by the trial Court, against which, the petitioner/A7 has filed the present Criminal Revision Petition.

2. This revision petition is pending from 2023 and because of the pendency of the present revision petition, the trial Court is not prosecuting the case any further. Therefore, this Court is now taking up the revision petition for final disposal itself.

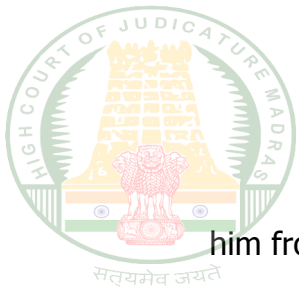
3. Heard the learned Additional Public Prosecutor appearing for the respondent-Police and perused the records.

4. The respondent-Police had registered a case against the petitioner/A7.

5. The specific allegation against the revision petitioner/A7 is that he, along with the other accused persons, had conducted chit and collected the chit amount to the tune of Rs.6,37,22,458/- from 408 depositors. The accused persons have committed the charged offences.

6. Pending the complaint, the petitioner has filed a petition for discharge

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him from the case.

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7. It is settled proposition of law that while deciding the petition for discharge, the Court has to see the materials produced by the prosecution and not the defence taken by the accused.

8. On a reading of the entire materials submitted by the investigating officer, and also on perusing the charge-sheet, this Court finds that there are prima-facie materials against the petitioner/A7 also, to proceed with the case further.

9. In the above facts and circumstances, this Court does not find any reason to interfere with the impugned order passed by the learned Special Judge. Hence, this revision petition is dismissed, with liberty to the petitioner/A7 to take all his defences during trial.

10. Consequently, CrI.M.P.No.15084 of 2023 is closed.

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1. Inspector of Police,  
Economic Office Wing-II (U),  
Vellore District.
2. The Public Prosecutor, High Court, Madras.



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