



*Crl.O.P.No.1020 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 24.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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1. T.Anto Punitha
2. R.Shali
3. M.P.Gunasekaran
4. G.Nithya
5. D.Vinothini
6. P.Kavitha
7. M.Vadivel
8. Vanitha
9. Lakshmi
10. R.Ravikumar
11. N.Manikandan
12. K.Susila Bai
13. Y.Parimalam
14. S.Karuppasamy
15. R.Anand
16. R.Amutha
17. R.Senthilnathan
18. B.J.Prabhu
19. N.R.Dinesh Babu
20. M.Rajesh Kanna
21. M.J.Babu
22. K.Mohan Raj
23. K.P.Sachidanand
24. M.Rajammal
25. C.Sulochana
26. C.Pugalendhi
27. C.Jayaseelan
28. V.Nalini
29. C.Rani



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30. C.Elavendhan
31. V.Krishnamoorthi
32. M.Pounraj
33. S.Devagi
34. Harsha Belli
35. D.Ravichandran
36. S.Vanitha
37. S.Srikanth
38. D.Ganesan
39. K.Sankarasnamasivayam
40. P.Murali
41. K.Vanipriya
42. R.Karthikeyan
43. R.Ramkumar
44. Savithiri Raman
45. P.Kavitha
46. C.Manikandan
47. K.Kaladevi
48. R.Charless
49. N.Rajasekar
50. V.Vijayalakshmi
51. R.Nammalwar
52. K.Kulandai Velu
53. T.Selvakumar
54. D.Mahalakshmi
55. K.Pugazhendhi
56. S.Anbarasi
57. D.Pravin Kumar
58. Senthil Kumar
59. Eswari
60. M.Palaniyappan
61. N.Chinna Muniyappan
62. S.Vargees
63. K.Karuppaiah

... Petitioner

Vs.



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1. Sri Kandha Guru Real Estates,  
A Firm rep. by its Managing Partner,  
P.A.Madeshwaran,  
P.G.V.Kalvi Niruvana Valagam,  
Varadapalayam, Thdiyalur,  
Coimbatore District.

2. P.A.Madeshwaran

3. M.Kavitha

4. The State Rep.by the  
Inspector of Police,  
Economic Offence Wing-II,  
Coimbatore.

.. Respondents

**PRAYER:** Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Special Court under TNPID Act, Coimbatore to pay the interest amount of the petitioners from the date of their deposit to till the date of repayment by collecting the amount from the respondents 1 to 3.

For Petitioners : Mr.E.Kannadasan

For Respondents : Mr.N.Manokaran (for R1 to R3)  
Mr.A.Gopinath,  
Government Advocate (Crl.Side) for R4

### **ORDER**

This petition has been filed to direct the learned Special Court under the TNPID Act, Coimbatore, to pay the interest amount of the petitioners from the date of their deposit till the date of repayment, by collecting the amount from respondents 1 to 3.



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**WEB COPY** 2. Heard the learned counsel for both sides and perused the materials available on record.

3. The petitioners had entered into an agreement with the first to third respondents, on the assurance given by them for registering a sale deed and deposit of consideration by 46 installments. The petitioners had made the last installment on 10.12.2024. However, the first to third respondents failed to fulfil the conditions and as such, the petitioners had complained and the same has been registered as an FIR in Crime No. 2 of 2015 for the offences under Sections 420 and 406 of IPC and Section 5 of the TNPID Act. After completion of the investigation, the fourth respondent filed a final report and the same is pending for trial in C.C. No. 7 of 2018 on the file of the Special Court under the TNPID Act, Coimbatore. While the trial was pending, the petitioners settled the amount, which was already deposited by them.

4. On a perusal of the counter affidavit and submissions made by the fourth respondent, it reveals that already 125 depositors had filed an affidavit before the Special Court under the TNPID Act, Coimbatore and as directed by this Court, they were paid the amount which was deposited by them. The



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remaining 34 depositors, 19 depositors were settled out of Court. Further, 8 depositors have not received either deposit amount so far, or land from the accused.

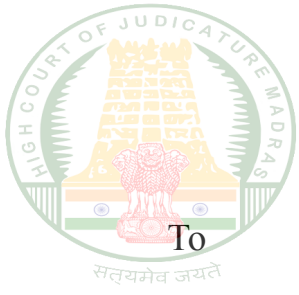
5. That apart, 52 fresh complaints have also been received by the fourth respondent against respondents 1 to 3, who committed default in executing the assurance given by them. Therefore, if the petitioners are not satisfied with the amount settled by the accused, viz., the respondents 1 to 3 herein, they can agitate before the trial Court during the trial by not accepting the compounding of the offence. Therefore, the direction sought for in this Criminal Original Petition cannot be considered and it is liable to be dismissed.

6. In the result, this Criminal Original Petition is dismissed.

24.02.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order

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To

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1. The Inspector of Police,  
Economic Offence Wing-II,  
Coimbatore.
2. The Special Court under TNPID Act,  
Coimbatore.



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**G.K.ILANTHIRAIYAN, J.**

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