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CRL OP No. 6755 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6755 of 2026

1. R.Sivakumar
S/o.Rangasamy, Rohini Garden, Periyathunur,
Collector Bungalow Backside, Salem District.
Permanently residing at No.315, Gandhipuram,
Near Kannan Nagar, Udumalai Road,
Dharapuram, Tiruppur District.

Petitioner(s)

Vs

1. The State Rep., by
The Deputy Superintendent of Police, Economic
Offence Wing-II, Salem District. Crime No.15 of 2017

Respondent(s)

PRAYER

To appoint Nodal Officer (Retired Madras High Court Justice) in C.C.No.6 of 2019 pending on the file of the Special Judge, Special Court under the TNPID Act, Coimbatore in Crime No.15 of 2017 and thus render justice.

For Petitioner(s): M/s.E.C.Ramesh

For Respondent(s): M/s. Leonard Arul Joseph Selvam
Additional PP

ORDER

The petitioner / accused in C.C.No.6 of 2019 had filed petition for appointment of a Nodal Officer in the place of the present Nodal Officer viz., Mr.C.Kumar Saravanan (Retired District Judge), Chairperson of the Mental



Health Review Board, Erode and relieved from his duties as Administrator on 02.02.2026. The counsel further submitted that the victims filed a writ petition in W.P.No.9404 of 2023, seeking a direction to issue a Government Order to appoint the District Revenue Officer as competent authority under Tamil Nadu Protection of Interests of Depositors (In Financial Establishment) Act, 1997, to identify the properties of the petitioner and to take inventory and fix the value of the property.

2. Thereafter, the petitioner had filed Crl.O.P.No.4646 of 2025, to appoint a Committee / Administrator to attach and sell the properties of the petitioner and the company. This Court had appointed an Administrator for the case in hand and the Administrator formed a Committee and fixed the procedure to settle the claim and found the total number of depositors at 1686 and the default amount of Rs.74,16,34,586/-, and additional charge sheet was also filed. The properties had been identified. The contention of the petitioner is that the Chairman of the Administrative Committee Mr.C.Kumar Saravanan (Retired District Judge) has now been appointed as the Chairperson of the Mental Health Review Board, Erode. Hence, he states that in his place, it would be appropriate if Hon'ble Mr.Justice G.M.Akbar Ali (Retd.) as Nodal Officer.

3. The learned Additional Public Prosecutor has filed a status report giving



details of the case. It is extracted hereunder:-

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MEMORANDUM GROUNDS OF CRIMINAL MISCELLANEOUS PETITION
(Under Section 483 of BNSS)

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Appellate Jurisdiction)

Crl. O.P. No. 6755 of 2026

Against

Crime No. 15 of 2017

(On the file of EOW, Salem)

R. Sivakumar,
S/o. Rangasamy,
Rohini Garden, Periyapudur,
Collector Bungalow Backside, Salem.

.... Petitioner

-Vs-

The State rep by its,
The Deputy Superintendent of Police,
Economic Offence Wing,
Salem District.

.... Respondent

STATUS REPORT FILED BY THE INVESTIGATION OFFICER

The Investigation Officer respectfully submits as follows:

I. BRIEF FACTS OF THE CASE

- The accused, namely R. Sivakumar, Proprietor of M/s Win Star India and M/s Sowbhaktiya City Developers, introduced various investment schemes and induced the general public to deposit money. Upon default in repayment, one Ruthrasamy lodged a complaint.
- Based on the said complaint, a case was registered in Crime No. 15/2017 by EOW, Salem for offences under Section 420 IPC and Section 5 of the TNPID Act.
- Subsequently, multiple complaints were received, and the police filed an Interim Charge Sheet and Additional Charge Sheet, which were taken on file in C.C. No. 06/2019 before the Special Court for TNPID Cases, Coimbatore.

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Deputy Superintendent of Police,
Economic Offences Wing,
Salem District.



ABSTRACT

Sl. No.	Details	No. Of Complaints	Total Default Amount
1	Interim Charge Sheet	1686	74,13,14,586/-
2	Additional Charge Sheet	330	24,38,11,921
	TOTAL	2016	98,51,26,507

d) Trial is in progress, and more than 530 witnesses have already been examined, and the case is in further progress.

d) Several properties belonging to the accused have been identified, frozen, and attached, and Government Orders have been obtained in respect of certain properties.

II. APPOINTMENT OF ADMINISTRATOR

It is submitted that this Hon'ble High Court, by order dated 18.12.2018 in CrI.O.P. No. 24388 of 2018, had initially appointed a Committee/Administrator headed by Thiru M. Thangaraju, Retired District Judge, to conduct sale of attached properties and to disburse the sale proceeds to the depositors. However, the said Chairman of the Committee passed away on 26.10.2020, and thereafter, no effective progress took place in the matter.

Subsequently, this Hon'ble High Court, by order dated 20.03.2025 in CrI.O.P. No. 4646 of 2025, appointed a Committee headed by Mr. C. Kumar Saravanan, Retired District Judge, as Administrator to:

- Conduct sale of attached properties
- Disburse the sale proceeds to the victims/depositors

Committee Members:

- DSP, EOW, Salem
- DSP, EOW, Erode

III. METHODOLOGY ADOPTED BY THE COMMITTEE

- All decisions were taken collectively by the Committee Members.
- As the properties consist of agricultural lands, unapproved layout plots, and buildings, allotment of plots to individual depositors was found to be impracticable.
- Hence, the Committee resolved to sell the properties and refund the depositors in monetary terms through RTGS.
- Accordingly, a bank account was opened in SBI, Salem, in the name of the Administrator, as directed by this Hon'ble Court.

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Deputy Superintendent of Police,
Economic Offences Wing,
Salem District.



IV. PROGRESS OF THE CASE / COMMITTEE PROCEEDINGS

The Committee convened several sittings between 25.06.2025 and 02.02.2026 for:

- Verification of documents
- Preparation of depositor list and abstracts
- Valuation of properties
- Formulation of methodology
- Planning and execution of public auction

V. TASK COMPLETED BY THE ADMINISTRATOR

In compliance with the directions of this Hon'ble Court:

Public auction was conducted on 23.01.2026 at the District Collector Office, Salem

13 bidders participated in the auction

Mr. M. Manikandan was declared as the highest bidder

Upset price: ₹215 per sq. ft.

Final bid price: ₹285 per sq. ft.

Total approximate value: ₹23,04,41,025/-

Payment Schedule:

25% on or before 12.02.2026

25% on or before 14.03.2026

25% on or before 12.04.2026

Balance amount after final measurement

VI. RELIEVING OF THE ADMINISTRATOR

The Administrator, Mr.C.Kumar Saravanan, Retired District Judge, was appointed as Chairperson of the Mental Health Review Board, Erode, and was relieved from his duties as Administrator on 02.02.2026, thereby creating a vacancy.

VII. REPORT OF THE INVESTIGATION OFFICER

- Due to the vacancy in the post of Administrator, the Committee is presently unable to proceed further, including the collection of auction sale amounts from the successful bidder.
- The petitioner has sought appointment of a High Court Commission headed by a Retired Judge, namely Justice G.M. Akbar Ali, or any other suitable authority.
- It is submitted that appointment of a competent Administrator/Retired Judge is necessary to ensure continuity and effective completion of the process initiated under the orders of this Hon'ble Court.


Deputy Superintendent of Police,
Economic Offences Wing,
Salem District.



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It is therefore humbly prayed that this Hon'ble Court may be pleased to take this Status Report on record, Appoint a suitable Administrator/Retired Judge to fill the existing vacancy and Pass such further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Dated on this day the 25th of March, 2026.


Deputy Superintendent of Police
Economic Offences Wing
Salem.
Deputy Superintendent of Police.
Economic Offences Wing,
Salem District.

4.From the status report, it is seen that the respondent police has got no serious objection for appointment of Hon'ble Mr.Justice Akbar Ali (Rtd.) as Administrator in the place of Mr.C.Kumar Saravanan (Retired District Judge).

5.In view of the above, **Hon'ble Mr.Justice G.M.Akbar Ali (Rtd.)** is appointed as Nodal Officer in C.C.No.6 of 2019 pending on the file of the learned Special Judge, Special Court under the TNPID Act, Coimbatore, in Crime No.15 of 2017.

6.Accordingly, this Criminal Original Petition is disposed of. No costs.

25-03-2026

krk

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

1.The State Rep., by
The Deputy Superintendent of Police, Economic
Offence Wing-II, Salem District. Crime No.15 of
2017.

2.The learned Special Judge,
Special Court under the TNPID Act, Coimbatore.

3.Hon'ble Mr.Justice G.M.Akbar Ali (Rtd.),
No.421, 6th South Cross Street,
Kapaleeswarar Nagar, Neelangarai,
Chennai – 600 115.

4.The Public Prosecutor,
High Court of Madras, Chennai.



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M.NIRMAL KUMAR J.

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