



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

**WP CrI. No. 305 of 2025
& WPMP CrI.No.587 of 2025**

R.Sundaresan

..Petitioner(s)

Vs

1. The State of Tamilnadu,
Rep. by its Secretary to Government,
Home, Prohibition and Excise Department,
Fort.St.George, Chennai – 600 009.
2. The Director General of Police,
Santhome High Road,
Mylapore, Chennai – 600 004.
3. The Deputy Superintendent of Police,
Crime Branch CID, Organized Crime Unit - I,
Chennai – 600 008. (Crime No. 2/2021)

..Respondent(s)

Prayer: This Writ Petition is filed under Article 226 of the Constitution, seeking for a Writ of Mandamus, directing the respondents to proceed with investigation in Crime No. 2/2021, on the file of 3rd respondent and to attach and sell the seized movable and immovable properties of the accused/deceased A.Nandhakumar and to pay the proceeds of crime to the petitioner for a sum of Rs.37,00,000/- in respect of the schedule mentioned properties.

For Petitioner(s):

Mr.A.Kumaraguru
for Mr.N.Anand

For Respondent(s):

Mr.R.Ganesh Kumar,
Counsel for Government of Tamil Nadu
(Criminal Side)



ORDER

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This Writ Petition has been filed for a direction directing the respondents to proceed with the investigation in Crime No.2 of 2021, on the file of the third respondent and to attach and sell the seized movable and immovable properties of the accused/deceased A.Nandhakumar and to pay the proceeds of crime to the petitioner for a sum of Rs.37,00,000/-.

2.On the complaint lodged by the petitioner, the third respondent registered an FIR in Crime No.2 of 2021 under Section 420, 506(1) of IPC and U/s.10 and 24 of Immigration Act, as against one Nandhaakumar (Deceased) alleging that he appointed the petitioner and others in his warehouse, which is situated in Cambodia and after after extracting work from the petitioner and others, did not pay them salary and other dues. While pending investigation, the sole accused died. Therefore, the entire charges abated as against the accused. Therefore, the petitioner now seeks to implead the son of the accused in this Writ Petition and to direct the respondents to proceed with the investigation in Crime No.2 of 2021.

3.It is seen that the petitioner and other aggrieved persons have also lodged another complaint against the deceased accused and his son and the same has been registered in Crime No.3 of 2021 on the file of the third



respondent Police. Therefore, the petitioner can very well pursue his claim in Crime No.3 of 2021. Once the sole accused died in Crime No.2 of 2021, it cannot be proceeded by impleading the son of the deceased. Therefore, the prayer sought for in this Writ Petition cannot be considered.

4. Therefore, the Writ Petition (Criminal) is dismissed. However, the third respondent is directed to proceed with the complaint made by the petitioner and others in Crime No.3/2021 in accordance with law. No costs. Consequently, the connected miscellaneous petition is closed.

10-06-2026

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

TSG

To

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Fort.St.George, Chennai – 600 009.
2. The Director General of Police,
Santhome High Road,
Mylapore, Chennai – 600 004.
3. The Deputy Superintendent of Police,
Crime Branch CID, Organized Crime
Unit - I, Chennai – 600 008. (Crime No. 2/2021)
4. The Public Prosecutor,
Madras High Court.



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WP CrI. No. 305 of 2



G.K.ILANTHIRAIYAN, J.

TSG

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