



Crl.O.P.Nos.21496 and 22040 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 15.07.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.Nos.21496 and 22040 of 2019
and Crl.M.P.No.11439 of 2019

In Crl.O.P.No.21496 of 2019:-

1. S.Sukumar
 2. S.Kavitha
- .. Petitioners

Versus

State Rep by:

1. The Inspector of Police,
Central Crime Branch,
EDF-II, Team-II
 2. M.Ashok Chand
- .. Respondents

In Crl.O.P.No.22040 of 2019:-

- Muhammed Rafee
- .. Petitioner

Versus

1. The Inspector of Police,
Central Crime Branch,
EDF-II, Team - 3, Vepery,
Chennai – 7.
(Cr.No.414 of 2017)
 2. M.Ashok Chand
- .. Respondents



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Prayer in both the cases : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for all the records and quash all the proceedings in C.C.No.129 of 2019 on the file of the learned Judicial Magistrate No.I, Poonamallee.

For Petitioner : Ms.S.Sjayanthi
(in Crl.O.P.No.21496 of 2019)

For Petitioner : Ms.Aishwarya Sridhar Balu
(in Crl.O.P.No.22040 of 2019)

For Respondents : Mr.M.Mohamed Riyaz,
(in both cases) Government Advocate (Criminal Side),
for R1
: Mr.M.Arvind Kumar, for R2

COMMON ORDER

These two Criminal Original Petitions arise out of the same case and as such, are taken up together and disposed of by this common order.

2. The prayer in these Criminal Original Petitions is to call for the records in C.C.No.129 of 2019 on the file of the learned Judicial Magistrate No.I, Poonamallee and quash the same.

3. Pending the proceedings, the parties have entered into a compromise and joint compromise memo is filed today. The original documents that were to be handed over, are also handed over to the learned Counsel for the other side. The terms of the joint compromise memo are



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recorded. It is submitted by the learned Counsel on behalf of the builder that the parent documents and the other connected documents will also be entrusted to the de facto complainant.

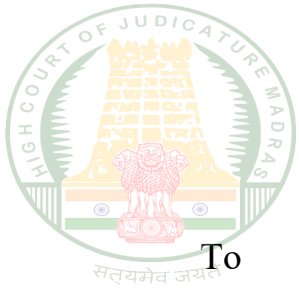
4. Considering the factual matrix in which the case arises, it can be seen that the issue arises due to building construction agreement and allotment of undivided space etc., and the non-payment of money in that regard. The F.I.R was registered and the Final Report is filed for the alleged offences under Sections 406 and 420 r/w 34 of I.P.C. Thus, it can be seen that it is private in nature and it will come within the broad contours as indicated by the Hon'ble Supreme Court of India in the case of ***Gian Singh Vs. State of Punjab and Anr.***¹.

5. In view thereof, on the terms of compromise, these Criminal Original Petitions are allowed. The Final Report in C.C.No.129 of 2019 before the learned Judicial Magistrate No.I, Poonamallee, stands quashed. Consequently, connected miscellaneous petition is closed.

15.07.2026

Neutral Citation : no
grs

¹ (2012) 10 SCC 303



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To

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1. The Judicial Magistrate No.I,
Poonamallee.
2. The Inspector of Police,
Central Crime Branch,
EDF-II, Team - 3, Vepery,
Chennai – 7.
Kancheepuram District – 631 502.
3. The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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