

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.11526 of 2015

and M.P.No.1 of 2015

1.Viswas Ramasamy @ Eswaran

2.Asraf @ Asraf Ali

.. Petitioners

(Accused 2 & 7)

Vs

1.The State rep by
The Inspector of Police
Central Crime Branch (Team-I)
Chennai-7.

2.Nanjunda Swamy

.. Respondents

(Complainant &
Defacto Complainant)

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C.,
to call for the records on the file of the first respondent in
connection with the FIR in Crime No.228 of 2014 and quash the same.

For Petitioner : Mr.R.Singaravelan
Senior Counsel
for Ms.M.Srividhya

For R1 : Mr.C.Emalias,
Additional Public Prosecutor

For R2 : Ms.D.Kamatchi

ORDER

This petition has been filed to call for the records on the file
of the first respondent in connection with the FIR in Crime No.228 of
2014 and quash the same.

2. On a complaint lodged by one Nanjunda Swamy, the respondent
police registered a case in Cr.No.228 of 2014 on 07.05.2014 for
offences under Sections 406, 420 r/w 120(b) IPC against 7 accused.
It is the case of the defacto complainant that the accused promised
to arrange Rs.100 crore loan and as commission they received Rs.1.25
crores, but neither arranged the loan nor returned the commission

amount. When Raja Mohammed [A1] and Jeyakumar [A3] approached this Court for anticipatory bail in CrI.O.P.No.16970 of 2014, the matter was referred to the Tamil Nadu Mediation and Conciliation Centre, where the accused and the defacto complainant appeared and amicably settled the matter. The Mediation Report dated 20.01.2015 received from the Mediation Centre reads as follows:

"1.The petitioners paid a sum of Rs.81,00,000/- (Rupees eighty one lakhs only) towards full and final settlement to the Defacto Complainant towards the complaint transaction and the Defacto Complainant acknowledges the receipt of the same.

2.The Defacto complainant agrees to withdraw the complaint on the file of the Inspector of Police, Team-1, Central Crime Branch, Chennai-4.

3.Both parties agree that they have no further claim against each other."

3. This quash petition has been filed by Viswas Ramasamy @ Eswaran [A2] and Asraf @ Asraf Ali [A7] for quashing the FIR on the ground that, the parties have amicably settled the matter.

4. Today, Ms.D.Kamatchi, learned counsel for the defacto complainant submitted that the matter has been amicably resolved before the Tamil Nadu Mediation and Conciliation Centre and that the defacto complainant has no objection for quashing the FIR.

Recording the same, this petition is allowed and the entire FIR in Cr.No.228 of 2014 as against all the accused, including those who have not approached this Court is hereby quashed. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CSII)
dt:25/09/2015

True Copy सत्यमेव जयते

Sub-Assistant Registrar

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gms

To

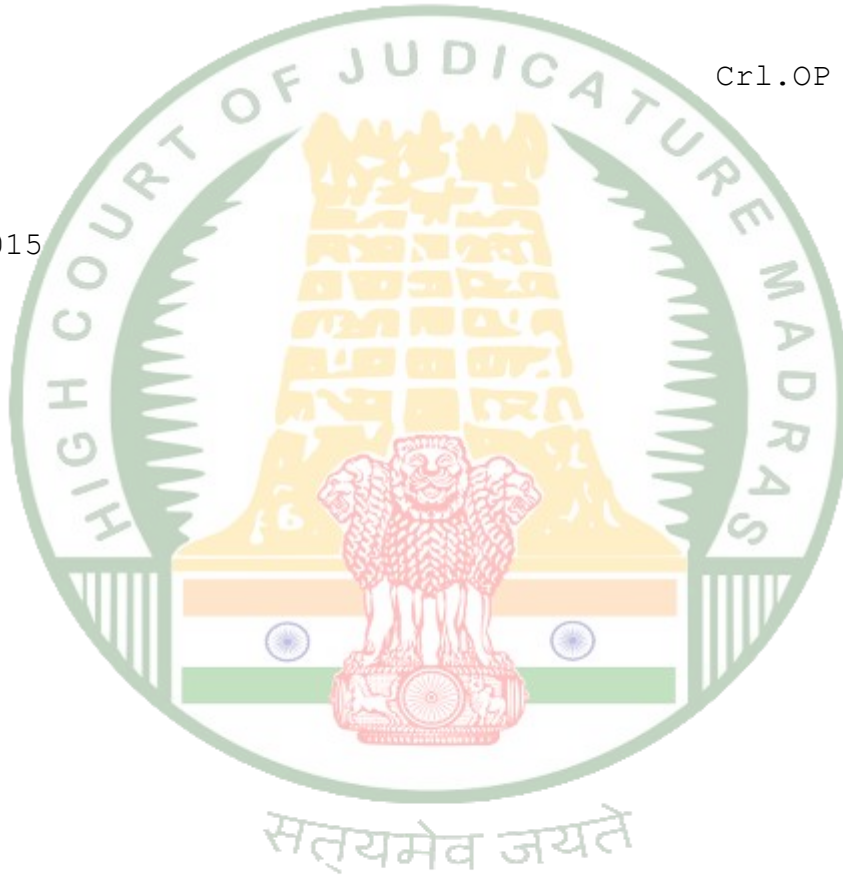
1.The Inspector of Police
Central Crime Branch (Team-I)
Chennai-7.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.M.Srividhya, Advocate sr.45765

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aa28/09/2015



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