

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP NOS.18641 OF 2015

AND

MP.NOS.1 & 2 OF 2015

1.D.Shankar

2.Chithra

.. Petitioners

Vs

1. State,
Inspector of Police,
Central Crime Branch, Team-II,
Chennai.

2.Sivaraj
S/o.Rajamani,
Branch Manager,
State Bank of India,
Siruthozhil Ambattur Branch,
No.199, CTH Road,
Padi, Chennai - 600 050.

.. Respondents

Prayer:- Criminal Original Petition is filed under Section 482 Cr.P.C., praying to call for the records in C.C. No.279 of 2012 on the file of learned Judicial Magistrate No.1, Poonamallee, Thiruvallur District, in so far as these petitioners are concerned and quash the same.

For Petitioner

:Mr.S.Sasikumar

For Respondent

:Mr.C.Emalias [R1]

Additional Public Prosecutor

WEB COPY

ORDER

This Criminal Original Petition has been filed praying to quash the charge sheet in C.C.No. 279 of 2012 on the file of learned Judicial Magistrate No.1, Poonamallee, Thiruvallur District, in so far as these petitioners are concerned.

2. Heard Mr.S.Sasikumar, the learned counsel for the petitioner and Mr.C.Emalias, the learned Additional Public Prosecutor for the first respondent.

3.The learned Additional Public Prosecutor submits that PW1 to PW7 have been examined before the Trial Court in C.C.No.279 of 2012 and therefore this Court cannot entertain this quash petition.

4. The learned counsel for the petitioner submits that the petitioner has completely settled the entire money with the defacto-complainant, Bank and in this regard the learned counsel for the petitioner has produced a letter dated 12.10.2010 issued by the State Bank of India, Siruthozhil Branch, Ambattur, Chennai, which states that M/s.Sankar Engineering Industries, has settled all the outstanding amount, under compromise and the loan account has been closed on 11.10.2010.

5. The Trial Court may take into consideration this aspect also at the time of final judgment.

6. Accordingly, this quash petition is dismissed with liberty to the petitioners to work out their remedies in the manner known to law. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. State,
Inspector of Police,
Central Crime Branch, Team-II,
Chennai.
2. The Judicial Magistrate No. 15
Poonamallee
Thiruvallur District.
3. -do- thro The Chief Judicial Magistrate,
Thiruvallur.

CrI.OP Nos.18641 of 2015 &

M.P.No.1 & 2 of 2015

SKV (CO)
RS 10.08.2015