

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Crl.O.P.No.747 of 2016

M.R.Dhanalakshmi

... Petitioner

Vs.

State represented by:
Sub-Inspector of Police,
Central Crime Branch,
Office of the Commissioner of Police,
Vepery, Chennai.

... Respondent

Prayer: Petition filed under Section 482 of Cr.P.C., praying to call for the records relating to the charge-sheet laid by the respondent-Police in C.C.No.8079 of 2006 for the offence under Sections 406, 420 IPC r/w Section 34 IPC, pending on the file of the learned Additional Chief Metropolitan Court, Egmore, Chennai and to quash the same.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.C.Emalias, APP (For R1)
Mr.P.Suresh Defacto Complainant.

* * * * *

ORDER

This petition has been filed by the petitioner praying to quash the criminal proceedings in C.C.No.8079 of 2006 pending on the file of the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai. The petitioner herein is the first accused in this case.

2.It is alleged that the petitioner and her husband late Mohan Raj had been running the money exchange business under the name and style of MRD Money Exchange Pvt Ltd having registered office at T.Nagar, Chennai. The petitioner herein is the Director of the said company. During the course of money exchange business, the defacto-complainant/company namely M/s.Pheroze Fram Roze & Co Pvt. Ltd., provided loan facility to the petitioner's company. Towards the repayment of the said amount, the petitioner's company issued cheques to the

complainant's company for a sum of Rs.15,66,894/-. But, on presentation before the Bank, the said cheques were dishonoured for the reason 'insufficient fund'. Hence, the complaint was lodged against the petitioner and others. On completion of investigation, chargesheet was filed and the same was taken on file in C.C.No.8076 of 2006 on the file of the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai.

3.Now, the petitioner has come forward with the present petition seeking to quash the complaint.

4.Today, when the matter is taken up for consideration, the petitioner and the Authorised Signatory of the defacto-complainant/company are present. It is represented by both sides that the matter has been amicably settled between the parties. A consent affidavit has been filed by the Authorised Signatory of the defacto-complainant/company stating that the matter was settled amicably between the parties and they have no objection to quash the impugned criminal proceedings.

5.Heard both sides and and perused the materials available on record.

6.Considering the facts and circumstances of the case and in view of the compromise arrived at between the parties, I am of the opinion that the criminal proceedings in C.C.No.8079 of 2006 pending on the file of the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai, is liable to be quashed and accordingly, the same is quashed.

In fine, the criminal original petition is allowed.

ssv

s/d-
Assistant Registrar(J)

True Copy

सत्यमेव जयते

Sub-Assistant Registrar

To

1. The Sub-Inspector of Police,
Central Crime Branch,
Office of the Commissioner of Police,
Vepery, Chennai.
2. The Public Prosecutor,
Madras High Court, Madras.

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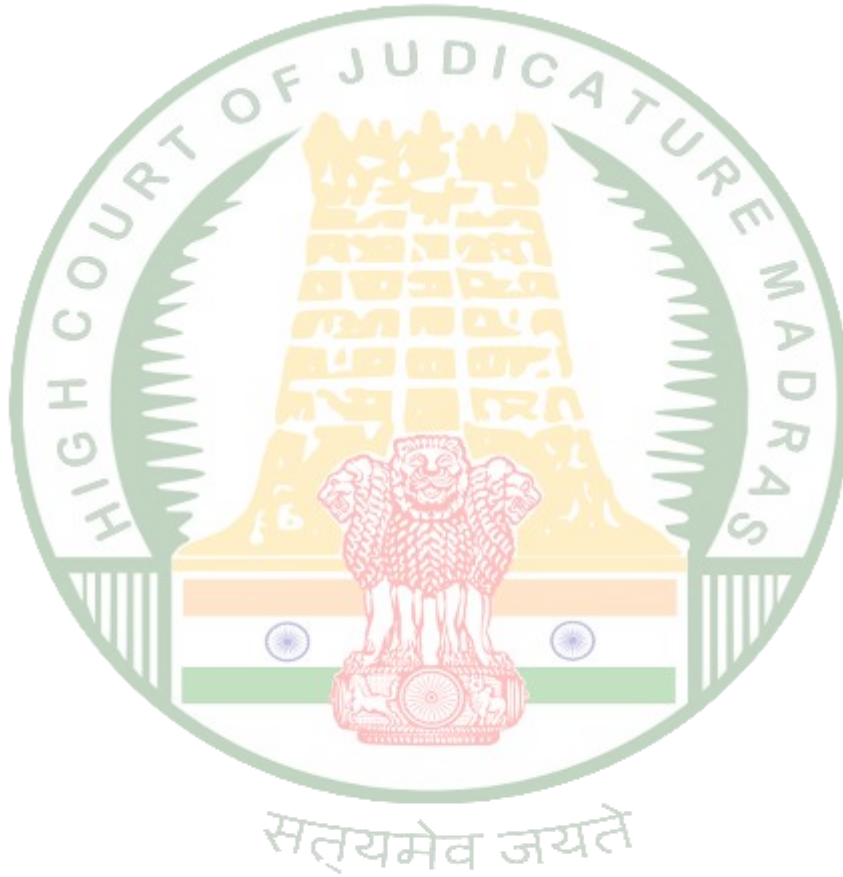
1. The Additional Chief Metropolitan Magistrate,
Egmore, Chennai .

2. do thro the Chief Metropolitan Magistrate,
Chennai.

+ 1 cc to Mr.R.Venkatasamy, Advocate SR 4003

kji(co)
prk18/2

Cr1.O.P.No.747 of 2016



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