

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.8917 of 2016
and Crl.M.P.No.13608 of 2016

1.Gayathri
2.Madhuchandran ... Petitioners

Vs

1.The Inspector of Police,
Central Crime Branch,
Team No.II, Vepery,
Chennai.
2.S.Gandeeban ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the entire records relating to the case in Crime No.682 of 2013 on the file of the Inspector of Police, Central Crime Branch, Team No.2, Vepery, Chennai-7, for the offences punishable under Sections 420 and 506(ii) read with 129 (b) I.P.C. and quash the proceedings against the petitioners.

For Petitioners : Mr.Vimal B.Crimson

For Respondents : Mr.C.Emalias,
Addl. Public Prosecutor,
for R1

ORDER

The present criminal original petition has been filed to call for the entire records relating to the case in Crime No.682 of 2013 on the file of the Inspector of Police, Central Crime Branch, Team No.2, Vepery, Chennai-7, for the offences punishable under Sections 420 and 506(ii) read with 129(b) I.P.C. and quash the proceedings against the petitioners.

2. When the matter was taken up for consideration on 10.1.2017, it was represented by the learned counsel appearing for the petitioners that as against the claim of Rs.28,90,000/-, the petitioners have already paid a sum of Rs.29,00,000/- by way

of demand draft to the second respondent. However, despite service of notice and the name of the second respondent having been printed in the cause list, none appeared for the second respondent on that date. Hence, in view of the said submission made by the learned counsel appearing for the petitioners, this Court granted interim stay and directed the registry to post the matter today for reporting settlement.

3. Today also, when the matter was taken up for consideration, there is no representation on behalf of the second respondent. Hence, it seems that the second respondent is not inclined to get along with the case.

4. Considering the facts and circumstances of the case and considering the fact that the petitioners have already paid a sum of Rs.29,00,000/- by way of demand draft to the second respondent as against the claim of Rs.28,90,000/-, this Court is inclined to quash the proceedings pending in Crime No.682 of 2013 on the file of the Inspector of Police, Central Crime Branch, Team No.2, Vepery, Chennai-7.

5. Accordingly, the proceedings in Crime No.682 of 2013 pending on the file of the Inspector of Police, Central Crime Branch, Team No.2, Vepery, Chennai-7, as against the petitioners is quashed and the criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sbi

To

1.The Inspector of Police,
Central Crime Branch,
Team No.II, Vepery, Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Vimal B. Crimson Advocate in SR. 5448

CrI.O.P.No.8917 of 2016

SS(CO)
VR(14/02/2017)