



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.7698 of 2019
and Crl.M.P No.4207 of 2019

1. V.Manogar
 2. V.Hemalatha
- Petitioners/Accused 1 & 2
- vs.
1. State, represented by
The Inspector of Police (Crime),
R-1, Mambalam Police Station,
Chennai.
 2. A.Vasuki
Represented by her son & Power of Attorney
C.Elavazhagan
- Respondents/Complainant/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the proceedings in Crime No.1398 of 2017 on the file of Inspector of Police, R-1 Mambalam Police Station, Chennai District, the 1st respondent herein and quash the same.

For Petitioners: Mr.N.Vijaya Basker
For Respondents: Mr.C.Raghavan
Government Advocate for R1
No Appearance for R2

O R D E R

This petition has been filed seeking to quash the FIR in Crime No.1398 of 2017, pending before the 1st respondent police.

2. The case of the prosecution is that the 2nd petitioner and the mother of the defacto complainant started a partnership firm in the year 2011. There was some dispute between them and the petitioners are said to have cheated the mother of the defacto complainant to the tune of Rs.3,94,847.

3. Based on the complaint given by the 2nd respondent, an FIR came to be registered by the respondent police. In the mean time, the petitioners have handed over a sum of Rs.3,95,500/- to the mother of the defacto complainant. When the anticipatory



bail was filed before this Court in CrI.O.P.No.21378 of 2017, this Court recorded the said fact and the counsel appearing for the defacto complainant also agreed that the defacto complainant's mother has received a total sum of Rs.3,95,500/-.

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4. This petition was filed on the ground that the entire dispute has been settled and therefore the FIR itself can be quashed by this Court.

5. The 2nd respondent has been served with notice and the 2nd respondent does not appear either in person or through counsel. The name of the respondent has also been printed in the cause list.

6. Heard, the learned counsel for the petitioners and the learned Government Advocate appearing on behalf of the respondent police.

7. Taking into consideration the facts and circumstances of the case, and due to the subsequent development that has taken place, no useful purpose will be served by keeping the investigation pending.

8. In the result, FIR in Crime No.1398 of 2017 is hereby quashed, accordingly this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

ssr

To

1. The Inspector of Police (Crime),
R-1, Mambalam Police Station,
Chennai.

2. The Public Prosecutor,
High Court of Madras,
Madras.

+1 CC to M/s. Law & Vision, Advocate sr 63602.

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NMI (CO)
SP(12/09/2019)