

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:26.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6534 of 2019

and

Crl.M.P.Nos.3620 & 3621 of 2019

1.Glenn Roger Carr

2.K.Naresh

...Petitioners/Accused 1 & 2

Vs.

1.State represented by
The Sub-Inspector of Police
Cyber Crime Cell
Central Crime Branch
Egmore, Chennai-8

...R1/Complainant

2.M/s.Cameo Wealth Management Services Pvt. Ltd.,
Represented by R.Parthiban, Sr.Manager (Finance)
No.1, Club House Road
Mount Road, Chennai 600 002

...2nd Respondent/Defacto Complainant

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.3305 of 2010 on the file of the Special Court of CCB & CBCID cases, Egmore, Chennai-8 and quash the same.

For Petitioners : Mr.G.Ravikumar

For Respondents : Mr.C.Raghavan for R1

Government Advocate (Crl. Side)

Mr.S.Udhaya Kumar for R2

ORDER

This Criminal Original Petition has been filed by the petitioners to call for the records in C.C.No.3305 of 2010 on the file of the Special Court of CCB & CBCID cases, Egmore, Chennai-8 and quash the same.

2.The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.A Joint affidavit dated 26.03.2019 has been filed before this Court which have been signed by the petitioners and the 2nd respondent and also by their respective counsel. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the sides and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the C.C.No.3305 of 2010 pending on the file of the Special Court of CCB & CBCID cases, Egmore, Chennai-600008.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.3305 of 2010 pending on the file of the Special Court of CCB & CBCID Cases, Egmore, Chennai-600008 is quashed and the terms of Joint affidavit shall form part and parcel of this Order. The petitioners shall jointly pay a sum of Rs.10,000/- (Rupees Ten Thousand only), as costs, to the Sevalaya, No.54, P.S.Sivaswamy Road, (North), Mylapore, Chennai-600 004, Tamil Nadu, India, Ph.+91-44-24982204 / 9884503039 / 9444620289, within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a joint affidavit reporting compliance in the Registry. Consequently, connected miscellaneous petitions are closed.

*The Xerox copy of the Joint Affidavit filed by the Petitioners and 2nd Respondent/Defacto Complainant is enclosed

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

kas
To

1.Special Court of CCB & CBCID Cases
Egmore, Chennai-8.

2.The Sub-Inspector of Police
Cyber Crime Cell
Central Crime Branch
Egmore, Chennai-8

3.The Public Prosecutor,
High Court of Madras.

4. The Sevalaya, No.54, P.S.Sivaswamy Road,
(North), Mylapore, Chennai-600 004

+1 CC to Mr.S.Udhaya Kumar, Advocate sr 28686.
+1 CC to Mr.G.Ravikumar, Advocate sr 28368.

CrI.O.P.No.6534 of 2019
and
CrI.M.P.Nos.3620 & 3621 of 2019

RV(CO)
SP(26/04/2019)

सत्यमेव जयते

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