



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.09.2019

CORAM :

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.11889 of 2019
and
Crl.M.,P.(MD)No.7470 of 2019

1.Murthy @ Manthiramoorthy

2.Balasubramanian

... Petitioners/Accused No.1 & 2

Vs.

1. The State
rep by Inspector of Police,
City Crime Branch,
Tirunelveli City,
Tirunelveli District.
(Crime No.24 of 2019)

... 1st Respondent/complainant

2.Rahulnath

... 2nd Respondent/Defacto
complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records pursuant to the FIR in Crime No.24 of 2019 pending on the file of the 1st respondent Police and quash the same in so far as the petitioners are concerned.

For Petitioners : Mr.Prabhakaran, Senior Counsel for
Mr.Singaravel
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

For R2 : Mr.F.Deepak

O R D E R

This petition has been filed to quash the FIR registered in Crime No.24 of 2019 on the file of the 1st respondent Police.

2. The case of the prosecution is that the petitioners cheated a sum of Rs.80 lakhs from the second respondent/defacto complainant as they have arranged a loan for starting a new



business.

3. The learned counsel for the petitioner would submit that the petitioners are innocent persons and they have been falsely implicated in this case.

4. Considering the facts and circumstances of the case, this Court directs the petitioners to return the amount which was received from the second respondent along with interest totally sum of Rs.85,000,00/-.

5. In view of the same, the second respondent has no objection to quash the FIR registered in Crime No.24 of 2019 as against the petitioners.

6. Accordingly, this petition is allowed. The investigation in Crime No.24 of 2019 pending on the file of the 1st respondent Police is hereby quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

dss
To

The Inspector of Police,
City Crime Branch,
Tirunelveli City,
Tirunelveli District.

Copy to :

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.SINGARAVEL, Advocate (SR-88414[F] dated 23/09/2019)

+1 CC to M/s.F.DEEPAK, Advocate (SR-88424[F] dated 23/09/2019)

CrI.O.P.(MD)No.11889 of 2019

and

CrI.M.,P.(MD)No.7470 of 2019

20/09/2019

KK/SAR/01.10.2019/2P-5C/