

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.7042 of 2018
and
Crl.M.P.No.3649 of 2018

1.Rajalakshmi,
W/o.N.Balasubramanian

2.Roopa,
D/o.N.Balasubramanian

... Petitioners/Accused 1 & 2

Versus

1.The State represented by
The Inspector of Police,
Dharapuram Police Station,
Tiruppur.

2.The Enforcement Officer,
Employees Provident Fund Organisation,
No.21, Income Tax Office Building,
Gandhiji Road,
Eorde - 638 001.

... Respondents/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the complaint in Crime No.48 of 2018, pending investigation on the file of the Respondent Police.

For Petitioners:	Mr.T.Saikrishnan
For R1	: Mr.K.Prabakar
	Additional Public Prosecutor
For R2	: Mr.R.Thirunavukarasu
	Standing Counsel

O R D E R

The petitioners, who are the accused in Crime No.48 of 2018, have filed this quash petition.

2. The learned Standing Counsel for the second respondent admitted the contention made in paragraph 5 of the petition the second respondent has no objection in quashing the Crime No.48 of 2018 since the petitioners has paid the amount. For the sake

of clarity paragraph 5 of the quash petition is extract hereunder:

"The petitioners state that on 22.12.2017, the petitioners had paid a sum of Rs.2,50,000/- vide D.D.No.703361 and also submitted a schedule of payment for making payments of the balance amount including the employers contribution. On 30.12.2017, the petitioners paid another sum of Rs.2,50,000/- by way of D.D.No.703366 of RBL Bank, Avinashi. On 18.01.2018, the petitioners have remitted a sum of Rs.2,50,000/- by way of D.D.No.703370 drawn on RBL Bank. On 24.01.2018, the petitioners have remitted a sum of Rs.2,71,474/- by way of D.D.No.703377 issued by RBL Bank and thus they have paid the entire due amount of Rs.10,21,474/-. The receipt of the above payments were acknowledged by the Office of the second respondent."

Recording the submissions made by the learned counsel for the second respondent, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rst

To:

- 1.The Inspector of Police,
Dharapuram Police Station,
Tiruppur.
- 2.The Enforcement Officer,
Employees Provident Fund Organisation,
No.21, Income Tax Office Building,
Gandhiji Road, Eorde - 638 001.
3. The Public Prosecutor,
High Court, Madras.

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RJI (CO)
GN(20/10/2020)