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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2021

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

CRL.O.P.NO. 12274 OF 2016

AND

CRL.M.P.NO. 8537 OF 2016

1. Sugirtha
2. Glory Mery
3. H.P. Geetha
4. Jai

...Petitioners

Versus

1. The State,
Represented by
The Inspector of Police
St. Thomas Mount Police Station,
(Crime No.1912 of 2015)
2. Emili

... Respondents

Criminal Original petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.1921 of 2015 on the file of the first respondent police and quash the same.

For Petitioners : Mr.G.Arunprasad

For R1 : Mr.E.Raj Thilak
Counsel for Govt. of Tamil Nadu
(Criminal Side)

For R2 : Mr.S.Kamaraj



ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.1921 of 2015 on the file of the first respondent police against the petitioners/accused for the offences under Sections 406, 420, 294(b) and 506(i) IPC.

2. The case of the prosecution is that the 1st petitioner/accused, who was doing unregistered Chit Fund and received a total sum of Rs.19,43,000/- from the de-facto complainant along with various other persons. Till date, the accused has not returned the aforesaid amount to the de-facto complainant and others. Therefore, the defacto complainant lodged a police complaint, St.Thomas Mount Police Station, on 13.09.2015, a case has been registered in Crime No.1921 of 2015 against the first petitioner along with her family members. Hence this complaint.

3. The learned counsel for the petitioner submitted that the first petitioner has made an agreement with one Narayanan, S/o. Ragavan on 02.07.2015, The defacto complainant has also paid a sum of Rs.19,43,000/- to the said person and the first petitioner has also transferred the property in favour of the de-facto complainant. Following the same, the de-facto complainant had accepted to withdraw the complaint filed by her against the petitioners/accused after the registration. Hence, he seeks for quashing the FIR filed against the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that he has produced a letter dated 30.10.2019 observed that the de-facto complainant namely Emili, W/o. Balakumar, residing at No.19, South Raja Street, Alandur, Chennai-600 016, her daughter-in-law/first petitioner was doing chit fund, the defacto complainant introduced 500 members to the first petitioner for joining chit fund and received a total amount of Rs.19,43,000/-. Thereafter, the first petitioner along with others has not returned the aforesaid amount to the defacto complainant. Subsequently, the first petitioner has transferred her property in favour of the de-facto complainant and the defacto complainant sold the property and settled the aforesaid amount to the victims on 20.04.2018.

5. Recording the aforesaid submission made by the learned Government Advocate as well as letter dated 30.10.2019 produced



by him, the Criminal Original Petition is closed. Consequently, connected Miscellaneous Petition is also closed.

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Sd/-
Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

msm

To

1. The Inspector of Police
St. Thomas Mount Police Station,
(Crime No.1912 of 2015)
2. The Public Prosecutor,
High Court, Madras.

+5ccs to Mr.G.Arunprasad, Advocate, S.R.No.38199

Cr1.O.P.No. 12274 of 2016
and Cr1.M.P.No. 8537 of 2016

KG(CO)
RLP(22/09/2021)