



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2022

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P.NO.2151 OF 2019

AND

CRL.M.P.NO.1358 OF 2019

K.Raju

... Petitioner/Accused-2

Vs.

1. The State Rep. by
The Inspector of Police,
EDF Team-1, Central Crime Branch,
(Crime No.179 of 2017)

... 1st Respondent/Complainant

2. M.V.Prakash

... 2nd Respondent/De-facto Complainant

PRAYER: Criminal Original Petition has been filed under Section 482 of Cr.P.C, praying to call for the records in C.C.No.651 of 2018 on the file of the Court of the CCB & CB CID, Metropolitan Magistrate, Egmore, Chennai - 8 and quash the same.

For Petitioner : Ms.A.S.Neela Narayani
for Ms.R.Meenakshi Devi

For Respondent 1 : Mr.R.Vinoth Raja
Government Advocate

ORDER

This Criminal Original Petition has been filed to call for the records and quash the proceedings in C.C.No.651 of 2018 on the file of Court of the learned CCB & CB CID Metropolitan Magistrate, Egmore, Chennai for the offence under Sections 420, 506(i) IPC.

2.As per the First Information Report, the De-facto Complainant had handed over the document of the property and



paid Rs.10,00,000/- (Rupees Ten Lakhs only) as advance to the First Accused/Mohan Kumar and Second Accused/Raju/Petitioner herein as they have promised the De-facto Complainant to secure loan from the bank. Subsequently, since the Accused had neither returned the document nor obtained loan, the De-facto Complainant preferred a complaint with the Central Crime Branch, Chennai which was registered as Crime No.179 of 2017 in which investigation proceeded resulting in laying of final report which was taken cognizance by the Court of the learned CCB & CB CID Metropolitan Magistrate, Egmore, Chennai, as C.C.No.651 of 2918. Therefore, the Petitioner/Accused No.2 had filed this Criminal Original Petition seeking to quash the Charge Sheet.

3. The learned Counsel for the Petitioner submitted that the First Accused/Mohan Kumar in C.C.No.651 of 2018 on the file of the Court of learned CCB & CB CID Metropolitan Magistrate, Egmore, Chennai had filed Crl.O.P.No.29112 of 2018 and this Court on 28.01.2022 had allowed the Petition based on the compromise dated 25.01.2021 entered into between the First Accused/Petitioner therein and the De-facto Complainant. He further submitted that the Petitioner/Second Accused and the De-facto Complainant have settled the dispute between them and they also filed a Joint Compromise Memo dated 31.01.2021 wherein the Petitioner and the De-facto Complainant/Second Respondent had signed it. The said Joint Compromise Memo is taken on record.

4. As the issue is related with money transaction and the parties have entered into a compromise, there is no point in continuing the prosecution against the Petitioner. Accordingly, the proceedings against the Petitioner in C.C.No.651 of 2018 on the file of Court of the learned CCB & CB CID Metropolitan Magistrate, Egmore, Chennai is quashed.

5. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

SRM

To

1. The CCB & CB CID Metropolitan Magistrate,
Egmore, Chennai - 08.



2. The The Inspector of Police,
EDF Team-1, Central Crime Branch,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.A.S.Neela Narayani, Advocate, S.R.No.23483

Cr1.O.P.No.2151 of 2019

SV(CO)
RLP(19/04/2022)