



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 11.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.11800 of 2018 and
Crl.M.P.Nos.6216 of 2018

N.Vijayakumar

... Petitioner/Accused

Versus

1.The Inspector of Police,
District Crime Branch,
Coimbatore.
(Crime No.2/2018)

2.Pradeep Kumar

... Respondents/Complainant/
Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Crime No.02 of 2018, on the file of the Inspector of Police, District Crime Branch, Coimbatore and quash the same.

For Petitioner : Mr.B.Kumarasamy

For Respondents : Mr.R.Kishore Kumar
Govt. Advocate (Crl.Side) for R1

ORDER

This Criminal Original Petition is heard through Video-Conferencing, on account of COVID-19 pandemic situation.

2. This Criminal Original Petition has been filed to quash the First Information Report in Crime No.02 of 2018, filed against the accused for the offence under Section 420 IPC, on the file of the Inspector of Police, District Crime Branch, Coimbatore.

3. This court, in a connected matter in Crl.O.P. No.11484 of 2018 filed by the co-accused (A2 to A5) in Crime No.2 of 2018, quashed the final report vide order dated 24.04.2019, mainly on the ground that there is no ingredients to make out an offence under Section 420 IPC.



4. A perusal of the First Information Report shows that, there is no allegation against the accused that amounts have been parted due to inducement or fraudulent act, to attract the offence under Section 420 IPC. There were some business transactions between the petitioner and the de facto complainant from the year 2013. During the course of business dealings, there was some default committed by the accused.

5. Having regard to the above and there is no serious allegation of deception or fraudulent act on the part of the petitioner and this court has elaborately dealt with the same in CrI. O.P. No.11484 of 2018 and quashed the final report, this Criminal Original Petition is allowed and the proceedings in Crime No.02 of 2018, on the file of the Inspector of Police, District Crime Branch, Coimbatore, are quashed. Consequently, connected criminal miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

psa/asr

To

1.The Inspector of Police,
District Crime Branch,
Coimbatore.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B.Kumarasamy, Advocate SR. No.2810

CrI. O.P. No.11800 of 2018

SS (CO)

PR (07/02/2022)