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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRL.O.P.NO.29112 OF 2018 AND
CRL.M.P.NO.17018 OF 2018

S.Mohankumar

...Petitioner / Accused

Versus

1.The state represented 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 / Defacto Complainant

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

For Petitioner : M/s.A.S.Neela Narayani
for R.Meenakshi Devi

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

: Mr.P.Santhana Krishnan for R2

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 CCB & CB CID Metropolitan Magistrate, Egmore, Chennai for the offence under Sections 420, 506(i) IPC.

2. The Crux of the allegation is that the petitioner/A1 along with A2 has received a sum of Rs.10,00,000/- from the defacto complainant and also property documents in the guise of procuring loan to the defacto complainant. Ultimately, the amount was not returned by the accused and therefore, the present complaint has been filed by the defacto complainant.



3. The learned counsel for the petitioner submitted that the matter has been settled between the parties and he also filed a Joint Compromise Memo dated 25.01.2021. The said Joint Compromise Memo is taken on record.

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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 CCB & CB CID Metropolitan Magistrate, Egmore, Chennai is quashed.

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

Encl.: Xerox copy of Joint Memor of
Compromise dt.25.01.2021

Sd/-
Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

psa/msv

To

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

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

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Meenakshi Devi, Advocate Sr.No.5837

Crl.O.P.No.29112 of 2018 and
Crl.M.P.No.17018 of 2018

JPL(CO)
RVM(11/02/2022)