



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C. (MD)No.20 of 2020

in

Crl.M.P. (MD)No.149 of 2020

Shanmugam @ Jones

... Petitioner/1st Respondent/
Accused

Vs.

1. Ramachandran

...1st Respondent/Petitioner/
Defacto Complainant

2. The Inspector of Police,
District Crime Branch,
Nagercoil.

...2nd Respondent/2nd Respondent

3. The State represented by
The Public Prosecutor,
Nagercoil

...3rd Respondent/3rd Respondent

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. against the order dated 21.12.2019 in Crl.M.P No.5428 of 2019 by the learned Principal Sessions Judge, Kanyakumari District at Nagercoil and set aside the same.

For Petitioner : Mr.M.Kannan

For R2 : Mr.M.Aasha

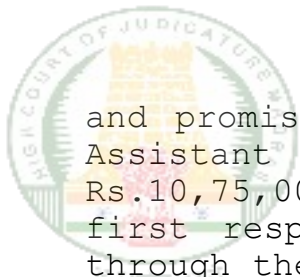
Government Advocate (Criminal Side)

For R3 : Mr.S.Palani Velayutham

ORDER

The criminal revision case has been filed as against the order passed by the learned Principal Sessions Judge, kanyakumari District at Nagercoil in Crl.M.P(MD)No.5428 of 2019, thereby, cancelled the interim bail granted in favour of the petitioner in Crl.M.P(MD)No.4656 of 2018, dated 15.12.2018.

2.The petitioner is an accused in Crime No.34 of 2018 on the file of the second respondent. The first respondent lodged a complaint alleging that the petitioner herein, had approached him



and promised to make an arrangement for a job to his son for the Assistant Public Relation Officer and demanded a sum of Rs.10,75,000/- for travelling expenses. Believing the same, the first respondent paid a sum of Rs.10,75,000/- on many occasions through the Bank account. Further, the petitioner demanded a sum of Rs.2 lakhs to get a medical college seat for his sister's daughter. But, the petitioner did not arrange any job and cheated the first respondent herein. Thereafter, the petitioner has refunded only a sum of Rs.2,35,000/- and promised to pay the remaining amount by six instalments. Thereafter, the petitioner failed to comply with his promise and hence the first respondent lodged a complaint. In pursuant to the crime, the petitioner had filed an anticipatory bail petition in Crl.M.P(MD)No.4656 of 2018 and the Court below by order, dated 15.12.2018 granted an interim anticipatory bail and referred the matter before the Lok Adalat for amicably settlement. Accordingly, the petitioner as well as the first respondent appeared before the District Mediation Centre, Nagercoil and the matter had been settled on condition that the petitioner shall pay a sum of Rs.6 lakh as full and final settlement within a period of three months from the date of receipt of that order. Thereafter, the petitioner did not appear before mediation and not paid the balance amount as agreed by the petitioner. Hence the first respondent herein, had filed a petition to cancel the interim anticipatory bail granted to the petitioner herein. The Court below has allowed the petition filed by the first respondent and cancelled the interim anticipatory bail granted to the petitioner, while pending this revision.

3.The learned Counsel appearing for the petitioner stated that the petitioner is ready and willing to pay the remaining amount as agreed before the Mediation Centre.

4.Accordingly, the petitioner and the first respondent are present before this Court and the petitioner has paid a sum of Rs.5,25,000/- as balance amount by way of a demand draft in favour of the first respondent. The same was also duly received by the first respondent.

5.That apart, in pursuant to the settlement made between the petitioner and the first respondent both have no objection to quash the FIR registered in Crime No.34 of 2018 on the file of the second respondent herein.

6.In view of the above, the order passed by the learned Principal Sessions Judge, kanyakumari District at Nagercoil in Crl.M.P(MD)No.5428 of 2019 is set aside. Accordingly, the criminal <https://hosevices.court.gov.in/hosevices/> allowed. (*) **"The FIR registered in Crime No.34 of**



2018, on the file of the second respondent is quashed".
Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (AE)

(*) Amended as per order of this
Hon'ble Court dated 25.04.2022
made in CRL RC (MD) No.20 of 2020

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

lr

To

(*) To be Substituted the order already despatched
on 24.03.2022

1. The Principal Sessions Judge,
Kanyakumari District at Nagercoil.

2. The Inspector of Police,
District Crime Branch,
Nagercoil.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.KANNAN, Advocate (SR-11354[F] dated 10/03/2022)

+1 CC to M/s.S.PALANI VELAYUTHAM, Advocate (SR-11935[F]
dated 14/03/2022)

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in

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RK(22/03/2022) 3P 6C

sb(CO)

GC(09.05.2022) 3P 6C