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Crl.M.P. No.10449 of 2023
in Crl.O.P. No. 24593 of 2021

Crl.M.P. No. 10449 of 2023
in
Crl.O.P.No.24593 of 2021

T.V.THAMILSELVI, J.

This petition has been filed to permit the petitioner herein to direct the learned IX Metropolitan Magistrate, Saidapet to return the aforesaid amount of Rs.50,000/- deposited on 25.01.2022 in pursuant to the condition imposed in Crl.O.P. No.24593 of 2021 dated 16.12.2021.

2. Mr.P.Premkumar, learned counsel for petitioner would submit that the petitioner was completely absolved from criminal charges put forth by the defacto complainant as well as F.I.R. registered by the respondent and the said F.I.R. was also quashed by this court in Crl.O.P.No.21207 of 2021. Furthermore, this court did not specifically mentioned that the said amount to be refunded to the petitioner during the time of complying condition, due to which, the trial court is not inclined to return the said amount. Hence, he filed the present petition seeking a direction to return the amount.



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3. Considering the facts and circumstances of the case and also the fact that as the petitioner was absolved from criminal cases filed by the defacto complainant as well as the F.I.R. registered by the respondent police was quashed by this court in Crl.O.P.No.21207 of 2021, this Court is inclined to allow this petition and directs the learned IX Metropolitan Magistrate, Saidapet, Chennai to return the aforesaid amount of Rs.50,000/- to the petitioner on receipt of an undertaking affidavit within a period of two weeks from the date of receipt of copy of this order. Accordingly, this Criminal Miscellaneous Petition is ordered.

03.08.2023

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