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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.16913 of 2023
and Crl.MP.No.10875 of 2023

1.Mrs.Aparna Shankar
S/o.Shankar

2.Mr.Shankar
S/o.Ganapathy

3.Mrs.Kavitha Shankar
W/o.Snankar

.. Petitioners /1st to 3rd Accused

.Vs.

1.The State of Tamil nadu
The Inspector of Police
CCB-I, Chennai.

2.The Branch Manager
Indian Bank
No.32, Ponniyamman Koil Street
Kotturpuram Banch
Chennai 600 085.

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of Crime No.194 of 2020 dated 16.5.2020, on the file of 1st respondent police CCB-I, Chennai.

For Petitioner : Mr.B.Natarajan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1

Mr.T.Sundar Rajan for R2



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ORDER

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This criminal original petition has been filed to quash the FIR in Crime No.194 of 2020, pending investigation on the file of the 1st respondent.

2. When the matter came up for hearing on 27.7.2023, this Court passed the following order:

Mr.A.Damodaran, learned Additional Public Prosecutor takes notice for the first respondent. Notice to the second respondent returnable by 11.08.2023. Private notice is also permitted.

2. The learned Counsel for the petitioners submitted that the entire loan amount has been settled to the bank and to substantiate the same, the learned Counsel brought to the notice of this Court the No Dues Certificate issued by the Indian Bank, dated 30.05.2023. The learned Additional Public Prosecutor submitted that the investigation was completed and Final Report was filed before the Special Court for CCB / CBCID Cases, Egmore, Chennai. The proceedings shall be kept in abeyance and this Court wants to ascertain the stand of the second respondent bank in this case.

3. Post this case under the caption "For Orders" on 11.08.2023.

3. When the matter was taken up for hearing today, the learned counsel for the 2nd respondent Bank submitted that the entire amount has been settled by the petitioners under One-time Settlement Scheme (OTS).

3. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioners have already settled the entire amount, no useful purpose will be served in continuing with the investigation in the pending FIR.



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4. In the result, the FIR in Crime No.194 of 2020, on the file of the 1st respondent is hereby quashed and accordingly, this criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

29.08.2023

Index : Yes/No
Internet : Yes/No
KP

To

1. The State of Tamil nadu
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CCB-I, Chennai.
2. The Branch Manager
Indian Bank
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Chennai 600 085.
3. The Public Prosecutor
High Court, Madras.



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N. ANAND VENKATESH,, J.

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