



Crl.M.P.No.14172 of 2022 in Crl.O.P.No.24767 of 2021

Crl.M.P.No.14172 of 2022

in

Crl.O.P.No.24767 of 2021

C.V.KARTHIKEYAN, J.

WEB COPY

This petition has been filed seeking a direction to permit the petitioner/defacto complainant in Crime no.160 of 2021 registered by the respondent under Sections 409 and 420 IPC on 18.10.2021, to withdraw a sum of Rs.40,00,000/-, which had been deposited by the petitioner in Crl.O.P.No.24767 of 2021, by an order dated 21.12.2021.

2. There was some discussion about permitting the petitioner herein to withdraw a sum of Rs.40,00,000/- without imposing any condition so as to protect the interest of the petitioner in Crl.O.P.No.24767 of 2021. The petitioner herein had now filed an affidavit and the learned Senior Counsel appearing on behalf of the first respondent had also examined the same. In the said affidavit, it had been stated as follows:

5.....In furtherance, I have no objection to quash the C.C.No.9623 of 2021 as against the 1st Respondent/2nd Accused, on the file of Special Court for CCB and CBCID (Metro cases), Metropolitan Magistrate, Egmore, Chennai.



WEB COPY



Crl.M.P.No.14172 of 2022 in Crl.O.P.No.24767 of 2021

6. *I submit that upon the withdrawal of the above said Rs.40,00,000/-. I have also agreed to exonerate/discharge the 1st Respondent/2nd Accused in C.C.No.9623 of 2021, on the file of Special Court for CCB and CBCID (Metro cases), Metropolitan Magistrate, Egmore, Chennai in toto. The above-said C.C.No.9623 of 2021, shall proceed only as against 1st Accused namely H.Ramakrishnan.*

7. *I agree that the 1st Respondent/2nd Accused in C.C.No.9623 of 2021 is entitled to get return of the original Title Deed deposited by him in Crime No. 160 of 2021, towards conditional order imposed in the Bail Application as I have no objection to exonerate/discharge the 1st Respondent/2nd Accused from the above criminal case.*

(a) *The Petitioner is permitted to withdraw a sum of Rs.40,00,000/- deposited by the 2nd Accused into the credit of Crime No. 160 of 2021, on the file of Special Court for CCB and CBCID (Rupees Forty Lakhs Only) deposited (Metro cases), Metropolitan Magistrate, Egmore, Chennai.*



WEB COPY



Crl.M.P.No.14172 of 2022 in Crl.O.P.No.24767 of 2021

(b) The 1st Respondent/2nd Accused in C.C.No.9623 of 2021, on the file of Special Court for CCB and CBCID (Metro cases), Metropolitan Magistrate, Egmore, Chennai, is hereby exonerated/discharged from all the offences.

(c) The 1st Respondent/2nd Accused shall be permitted to get in return of the Original Title Deed dated 08.03.2016 vide Registered Document No.990 of 2016, in the office of Sub-Registrar, Tiruthani which was furnished by him as security, in Crime No.160 of 2021, on the file of Special Court for CCB and CBCID (Metro cases), Metropolitan Magistrate, Egmore, Chennai.

3. In view of the categorical commitment made by the petitioner herein that the first respondent/second accused in C.C.No.9623 of 2021, on the file of the Special Court for CCB and CBCID (Metro Cases), Metropolitan Magistrate, Egmore, Chennai, would be exonerated/discharged from all offences and that the said first respondent/second accused in C.C.No.9623 of 2021 will also be permitted to get return of the original title deed dated 08.03.2016,



Crl.M.P.No.14172 of 2022 in Crl.O.P.No.24767 of 2021

registered in document No.990 of 2016, in the office of the Sub Registrar Tiruthani, which had been furnished as a security, permission is granted to the petitioner herein.

4.The learned Metropolitan Magistrate, Egmore, Chennai, may simultaneously permit withdrawal of Rs.40,00,000/- and hand over all the original documents in document No.990 of 2016, registered in the office of the Sub Registrar, Tiruthani. Accordingly, this petition is allowed. The entire process to be completed within a period of three weeks from the date of receipt of a copy of this order.

15.11.2023

sli



WEB COPY



Crl.M.P.No.14172 of 2022 in Crl.O.P.No.24767 of 2021

C.V.KARTHIKEYAN, J.

sli

Crl.M.P.No.14172 of 2022
in Crl.O.P.No.24767 of 2021

15.11.2023