



Crl.O.P.Nos.23306 & 23187 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2023

CORAM

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

Crl.O.P.Nos.23306 & 23187 of 2022
and Crl.M.P.Nos.14889 & 14836 of 2022

Saravanan Palaniappan ... Petitioner in Crl.O.P.No.23306 of 2022

1.Vijayakumar
2.Aravinth Raj ... Petitioners in Crl.O.P.No.23187 of 2022

Vs

1.The Inspector of Police,
CCB-1, Police Station,
Chennai.
Crime No.187 of 2022

2.Gaurav Chachra ... Respondents in both Crl.O.Ps

Common Prayer: Criminal Original Petitions filed under Section 482 Cr.P.C. to call for the records of the FIR in Crime No.187 of 2022 on the file of the respondent Police and quash the same.

In both Crl.O.Ps

For Petitioners : Mr.R.Krishna Kumar

For Respondents : Mr.L.Baskaran for R1
Government Advocate (Crl. Side)
Mr.B.Aravind Srevatsa for R2



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COMMON ORDER

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These Criminal Original Petitions have been filed to call for the records of the FIR in Crime No.187 of 2022 on the file of the respondent Police and quash the same.

2.Today, when the matter is taken up for hearing, the learned Government Advocate (crl.side) submitted that after investigation, the final report has been filed before the learned Metropolitan Magistrate for exclusive trial of CCB cases (relating to cheating cases in Chennai and CBCID Metro cases), Chennai stating that further action has been dropped as per the withdrawal letter of the defacto complainant dated 26.05.2023.

The relevant portion of the final report is extracted hereunder:

"13.It is respectfully submitted that in this case, the following points are to be considered:-

i. The complaint's company has already initiated Arbitration Proceeding before the Singapore International Arbitration Centre and same is still pending.

ii. The complainant and accused have entered into Settlement Agreement and agreed for full and final settlement of outstanding amount payable to the



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complainant company.

iii. In this case, the victim is only the defacto complainant's company.

iv. Further the complainant Tr.Gaurav Chachra gave a withdrawal letter dated 26.05.2023 stating that they have decided to settle their issues amicably and requested to withdraw the criminal complaint in Cr.No.187 of 2022."

3.Pursuant to the final report filed by the Inspector of Police, EDF-I, Team II, Central Crime Branch, Vepery, the learned Metropolitan Magistrate for exclusive trial of CCB cases (relating to cheating cases in Chennai and CBCID Metro cases), Chennai, has passed the following order:

"The Defacto Complainant/ Investigation Agency has filed final report before this Court after due Investigation. Taken as referred charge sheet. On perusal of records Notice Served. Defacto Complainant namely Mr.Gaurav Chachra present and Written submission also filed and recorded. Defacto Complainant side stating that No Objection, Hence their report is accepted and This case is closed as "Further Action Dropped".



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4.Since the FIR in Crime No.187 of 2022 has already been closed as

“Further Action Dropped”, these Criminal Original Petitions are dismissed.

Consequently, connected Miscellaneous Petitions are also closed.

12.12.2023

Internet: Yes

Index: Yes/No

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To

1. The Inspector of Police,
CCB-1, Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.



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VIVEK KUMAR SINGH.J.,

vkrr

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12.12.2023