



Crl OP No.24209 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Criminal Original Petition No.24209 of 2021

and

Crl.M.P.Nos. 13343 & 13344 of 2019

1. M/s. Devinarayan Housing & Property Developers,
Private Limited,
Rep. by its Managing Director,
Mr.N.Nandakumar, No.2, Link Street, Kottur Garden,
Chennai 600 085.
2. N.Nandakumar
Managing Director,
M/s. Devinarayan Housing & Property Developers,
Private Limited, No.2, Link Street, Kottur Garden,
Chennai 600 085.
3. N.Mahesh,
Director,
M/s. Devinarayan Housing & Property Developers,
Private Limited, No.2, Link Street, Kottur Garden,
Chennai 600 085.
4. S.Narayanswamy
Director,
M/s. Devinarayan Housing & Property Developers,
Private Limited, No.2, Link Street, Kottur Garden,
Chennai 600 085.



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5. N. Mahenderakumar,

Director,

M/s. Devinarayan Housing & Property Developers,

Private Limited, No.2, Link Street, Kottur Garden,

Chennai 600 085.

... Petitioners/Accused

Versus

M/s. DN. Vaishnovi Apartments Owners Association,

Rep. by its Secretary,

Mr.G.Jayakumar

B 104, No.1, 2nd Street,

Vaishnavi Nagar, Tirumullaivoyal,

Chennai 600 062.

... Respondent/ Complainant

PRAYER : Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code seeking to call for the records in STC No.14 of 2021 on the file of the Fast Track Court, (Magistrate Level) at Ambattur and quash the same.

For Petitioners : Mr.R.Vivekananthan

For Respondent : Mr.S.Nagarajan

ORDER

This Criminal Original Petition has been filed to quash the proceedings in STC No.14 of 2021 for the offence under Section 138 of the Negotiable Instruments Act.



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2. It is represented by the learned counsels on either side that the parties have arrived at a settlement and the respondent pursuant to the said settlement has agreed to withdraw the impugned complaint on the file of the Judicial Magistrate, Ambattur. The Respondent/Complainant's representative has filed an affidavit confirming the said fact.

3. In view of the compromise arrived at between the parties, the impugned complaint is liable to be quashed and hence quashed. It is further stated that pursuant to the directions of this Court a sum of Rs.10,00,000/- was deposited before the Trial Court to the credit of STC No.14 of 2021. The learned counsel appearing for the petitioners is directed to handover the receipt, evidencing the deposit of amount in the Trial Court to the respondent/complainant. The respondent/complainant shall be at liberty to move appropriate application for withdrawing the said sum.

4. With the above direction, the Criminal Original Petition is allowed. Consequently, the connected miscellaneous petitions are closed.

21.03.2023

jv



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Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No

To

1. The Fast Track Court,
(Magistrate Level),
Ambattur.
2. The Public Prosecutor
High Court of Madras
Chennai – 600 104.



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SUNDER MOHAN, J.

jv

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