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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.27578 of 2023

Ricky Richard Samuel@ Venkatesan

... Petitioner

Vs.

1.The State Rep. by Inspector of Police,
Cyber Crime, CCD-I,
Chennai City Police,
Chennai.

2.The Branch Manager,
IDFC First Bank,
Kottivakkam Branch,
No.4/579, Old Mahabalipuram Road,
Ramalinga Nagar,
Chennai – 600 041.

3.The Branch Manager,
City Union Bank,
Thiruverkadu Branch,
Lingeswar Nagar,
Thiruverkadu,
Chennai – 600 077.

4.K.Selva Ganapathy

...Respondents



PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 1st respondent to stop further investigation in Crime No.12 of 2023 on the file of the 1st respondent and consequently direct the 1st respondent to give no objection certificate to the concerned banks for defreeze the bank accounts of the petitioner.

For Petitioner : Mr.S.Sai Prabhu

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1
Mr.K.Selva Ganapathy for R4

ORDER

This writ petition has been filed for a direction to the 1st respondent not to further investigate the case in Crime No.12 of 2023 and for a direction to the 1st respondent to give No Objection Certificate to the concerned Banks and to defreeze the Bank account maintained by the petitioner.

2.Heard Mr.S.Sai Prabhu, learned counsel appearing on behalf of the petitioner, Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of the 1st respondent and the 4th respondent appeared in-person through video conferencing.



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3.It is seen from records that there was a compromise between the parties and based on the same, an order was passed in CrI.O.P.No.17291 of 2023 dated 07.09.2023 and the FIR was quashed. There are totally three accused persons in this case and whereas, the quash petition was filed only by two accused persons viz., A1 and A2. In view of the same, the 1st respondent proceeded further to investigate the case insofar as A3 is concerned.

4.The *defacto* complainant who appeared in-person stated that he has compromised the dispute with all the three accused persons and he is not interested in prosecuting the case as against A3.

5.The learned Additional Public Prosecutor submitted that the 1st respondent was not intending to further investigate the case in Crime No.12 of 2023. It was submitted that apart from the 4th respondent/*defacto* complainant, there were seven other complainants who had made their claims against the accused persons. This was being enquired and ultimately, the other claimants also wanted to withdraw their complaints/claims against the accused persons.



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6. In the light of the above submissions, it is made clear that there will be no further investigation in Crime No.12 of 2023 and the FIR shall be closed and it shall be exhibited in the website. In view of the same, there shall be a direction to the 1st respondent to intimate the 2nd and 3rd respondent Banks to defreeze the bank account in order to enable the petitioner to operate his bank accounts. This process shall be completed by the 1st respondent forthwith.

7. This writ petition is disposed of in the above terms. No Costs.

21.09.2023

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
Neutral Citation : Yes/No
ssr

To

1. Inspector of Police,
Cyber Crime, CCD-I,
Chennai City Police,
Chennai.



2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSI

W.P.No.27578 of 2023

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