



Crl.O.P(MD)No.8453 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2023

CORAM:

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

Crl.O.P(MD)No.8453 of 2021

and

Crl.M.P(MD)No.4338 of 2021

Sundar

.. Petitioner/Sole Accused

Vs.

1.State represented by,
The Inspector of Police,
District Crime Branch,
Theni.
Theni District.
(Crime No.7 of 2021)

2.G.Karuppasamy

.. Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the Crime No.7 of 2021 dated 17.04.2021 on the file of the Inspector of Police, District Crime Branch, Theni Post and District.



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For Petitioner : Mr.R.Suriyanarayanan
For R1 : Mr.M.Muthumanikkam,
Government Advocate(Criminal side)
For R2 : Mr.M.Saravanakumar

ORDER

The petitioner/sole accused has filed this petition to quash the Crime No.7 of 2021, pending on the file of the first respondent police, wherein he is said to have committed the offence under Sections 420 and 506(i) IPC.

2. The case of the prosecution is that the defacto complainant is working as a teacher in Kallar Government Primary School at Poothipuram Village, Theni District for the past 13 years and he has known the petitioner for the past 10 years and the petitioner is working as a trainer of teacher in Bodinaiyakanur. In order to get a job for the defacto complainant's wife, the petitioner received a sum of Rs.70 lakhs on 24.01.2019 by issuing a cheque bearing No.250982 drawn on Canara



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Bank, Kodangipatti in favour of his aunty one Prabha, who arranged the said amount on behalf of the defacto complainant. Thereafter, the petitioner has given evasive reply to get the job. In the meanwhile, again the petitioner approached the defacto complainant and requested a handloan for a sum of Rs.50 lakhs to start petrol bunk by agreeing to repay the amount within six months. Hence, the defacto complainant arranged the said amount by borrowing from his friends and colleagues. Inspite of repeated demands made by the defacto complainant, the petitioner neither repay the amount nor get job for his wife and also gave life threat to the defacto complainant. Thus, the petitioner cheated a sum of Rs.1,20,00,000/- (Rupees one crore twenty lakhs only) totally from the defacto complainant. Hence the complaint.

3. When the matter is taken up for hearing today, the learned Government Advocate (Criminal side) submitted that after completion of investigation, charge sheet has been filed before the learned Judicial Magistrate, Theni and the same was taken on file in C.C.No.109 of 2021.



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4. Recording the submission made by the learned Government Advocate (Criminal side), this Criminal Original Petition stands closed with liberty to the petitioner to work out his remedy in the manner known to law. Consequently, connected miscellaneous petition is closed.

13.04.2023
(1/2)

NCC : Yes/No
Internet: Yes/No
Index : Yes/No
PJL

To

1.The Inspector of Police,
District Crime Branch,
Theni, Theni District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

PJL

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and
Crl.M.P(MD)No.4338 of 2021

13.04.2023