



Crl.O.P.(MD)No.8063 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:28.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.8063 of 2023

Anbukarunakaran : Petitioner/A1

Vs.

1.The State rep. by
The Inspector of Police,
Cyber Crime Police Station,
Thoothukudi District.
(Crime No.51 of 2022)

: R1/Complainant

2.P.Ramar : R2/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in connection with Crime No.51 of 2022 on the file of the Inspector of Police, Cyber Crime Police Station, Thoothukudi District and consequently, quash the same on the ground of amicably settled the issue forthwith.

For Petitioner : Mr.M.Saravanakumar

For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor

For R2 : Mr.K.Pandiarajan



ORDER

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This petition has been filed seeking to quash the impugned FIR in Crime No.51 of 2022 on the file of the 1st respondent police.

2.The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.51 of 2022 for the offences punishable under Sections 419, 420 IPC and section 66-D of Information Technology Act, against the petitioner and others.

3.The further contention of the petitioner is that they compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioner and the 2nd respondent and also by their respective counsels.

4.The petitioner and the 2nd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.



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5.It is seen that the connected case Crl.OP(MD)No.7405 of 2023 was heard and on 21/04/2023, it was allowed in respect of the co-accused. At that time, the de-facto complainant stated that a portion of the amount has been received from the above said accused.

6.Now, this petition has been filed with regard to A1. The de-facto complainant also present and stated that the entire amount involved has been settled and received.

7.The learned counsel appearing for the petitioner would submit that Rs.5,00,000/- cash, Laptop, mobile phone and one Car bearing registration No.TN-20-CY-4710 standing in the name of his brother, have been seized by the police. Apart from that, three Bank Accounts maintained by this petitioner and his brother Murugan have also been seized by the Investigating Officer. The Car seized by the police was not produced before the concerned trial court. So, there shall be a direction to the 1st respondent police herein to produce the seized vehicle before the trial court. The brother of the petitioner is at liberty to move the concerned trial court for return of the above said vehicle, since the entire process has been quashed. In respect of freezing of the above said Bank accounts, the above said account is also defreezed and the same may be



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informed to the concerned Bank. In respect of cash amount, the petitioner can move the concerned court for return of the amount. The de-facto complainant has also no objection for the return of the above said amount as well as de-freezing of the above said Bank Accounts.

8.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the joint compromise memo, dated 26.04.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending and inclined to quash all further proceedings in Crime No.51 of 2022 pending on the file of the 1st respondent police in respect of this petitioner.

9.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.51 of 2022, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioner. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

28.04.2023

Index : Yes/No
Internet : Yes/No
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To

- 1.The Inspector of Police,
Cyber Crime Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

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