



Crl.O.P(MD)No.10830 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.10830 of 2021

and

Crl.M.P(MD)No.5510 of 2021

1.N.Varatharajan

2.Vr.Malini

.. Petitioners/Accused Nos.1 & 2

Vs.

1. State Rep. by,
The Inspector of Police,
District Crime Branch,
Trichy District.
(Crime No.9 of 2021)

.. 1st Respondent/Complainant

2. K.Selvakumar

.. 2nd Respondent/ Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Impugned FIR in Crime No.9 of 2021 on the file of the 1st respondent police and quash the same as illegal.



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For Petitioner : Mr.D.Balamurugapandi
For R1 : Mr.M.Muthumanikkam
Government Advocate(Criminal Side)
For R2 : No appearance

ORDER

The petitioners/A1&A2 has filed this petition to quash the FIR in Crime No.9 of 2021 on the file of the first respondent, wherein they are said to have committed the offence under Section 420 IPC.

2. The case of the prosecution is that the petitioners swindled a sum of Rs.37 lakhs on the false promise to execute the sale agreement of the petitioners' property and neither keep the promise nor repay the above said amount to the defacto complainant. Hence the complaint.

3. The learned Government Advocate (Criminal side) submitted that after completion of investigation, the case was closed as 'mistake of fact' and RCS notice was also served to the defacto complainant. Hence, there is no necessity for further adjudication.



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4. Recording the said submission made by the learned Government Advocate(Criminal side), this Criminal Original Petition stands closed with liberty to the defacto complainant to agitate the matter before the appropriate forum in accordance with law. Consequently, connected miscellaneous petition is closed.

13.04.2023

NCC : Yes/No
Internet: Yes/No
Index : Yes/No
PJJ

To

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