



Crl.O.P(MD)No.11250 of 2021

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.11250 of 2021

and

Crl.M.P(MD)No.5745 of 2021

1.Kirubananthavariyar

2.Vishnupriya

3.Senthil

4.Arunagiri

.. Petitioners/

Accused Nos.1 to 4

Vs.

1.The Inspector of Police,
District Crime Branch,
Dindigul, Dindigul District.
(Crime No.13 of 2021)

... 1st Respondent/Complainant

2.Arockiaprabakaran

... 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 Crime No.

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13 of 2021 on the file of District Crime Branch, Dindigul, Dindigul

District and quash the same with regard to the petitioners.

For Petitioner : Mr.S.C.Herold Singh
For R1 : Mr.M.Muthumanikkam
Government Advocate
For R2 : Mr.C.Mayil Vahana Rajendran

ORDER

The petitioners/A1 to A4 have filed this petition to quash the FIR in Crime No.13 of 2021 on the file of the District Crime Branch, Dindigul, Dindigul District, wherein they are said to have committed the offence under Sections 409 and 420 of IPC.

2. The case of the prosecution is that the second respondent intended to start a business on his own and inform the same to his uncle one Manohar. The said Manohar advised the defacto complainant to carry out vegetable business at Dindigul Market. Therefore, the defacto complainant informed the said Manohar to search for some shops. Based



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on the same, the said Manohar identified that the first petitioner is having a shop and he proposed to dispose the shop No.A21 of Gandhi Market Dindigul and he wanted to dispose of the said shop for a sum of Rs.20,00,000/-and other than a sum of Rs.2,00,000/- has to be remitted to the Municipality. The petitioners 3 and 4 demanded Rs.1,00,000/- each towards commission. The same was also agreed by the defacto complainant. The defacto complainant was paid a sum of Rs.2,00,000/- to the first petitioner in the presence of notary and an agreement to that effect was also executed in the presence of other petitioners. After receiving the amount, the petitioners cheated the defacto complainant. Hence, the complaint.

3. The learned Government Advocate (Criminal side) appearing for the first respondent submitted that after completion of investigation, final report has been filed and the same was taken on file as C.C.No.279 of 2022 on the file of the learned Judicial Magistrate No.II, Dindigul.



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4. Recording the same, this Criminal Original Petition stands closed with liberty to the petitioners to work out their remedy in the manner known to law. Consequently, connected Miscellaneous Petition is closed.

13.04.2023

NCC : Yes/No
Internet: Yes/No
Index : Yes/No
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To

- 1.The Inspector of Police,
District Crime Branch,
Dindigul, Dindigul District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

cp

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