



Crl.O.P.No.3992 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.3992 of 2022

and

Crl.M.P.No.1949 of 2022

Immanuel

... Petitioner

Vs

1. T.Sivasubramanian
Abirami Estate,
rep. by Agent M.Marimuthu

2. S.Hemamalini

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records pertaining to proceedings of C.C.No. 41 of 2012 pending on the file of Judicial Magistrate No.1, Tambaram against the petitioner and to quash the same.

For Petitioner : Mr.G.V.Giridharan

For Respondents : No appearance



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ORDER

This Criminal Original Petition has been filed seeking to quash the private complaint initiated in C.C. No. 41 of 2012 on the file of Judicial Magistrate No.1, Tambaram.

2. Heard both sides.

3. The petitioner is ranked as 2nd accused in a private complaint in C.C.No.41 of 2012 initiated by the 1st respondent/complainant under Sec. 420, 499, 503 of I.P.C. The case of 1st respondent/complainant is that the 2nd respondent/A1 had received a sum of Rs.2,00,000/- from the complainant-wife on 15.05.2011 by way of cheque and when the same presented in her account, the same was dishonoured. Hence, the complaint was lodged against the petitioner.

3. According to the petitioner, it is a false complaint and he is no way connected with the alleged transaction made between 1st accused and the 1st respondent/defacto complainant. However, he himself states that he only introduced A1 to the 1st respondent/defacto complainant and



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there was a transaction between themselves. So, it needs detailed investigation and needs evidence if it is false claim. Therefore, this Court is not inclined to quash the complaint, since there is no basic ingredient to quash the complaint initiated against the petitioner. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Criminal Miscellaneous Petition is closed.

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Index: Yes/No
Internet: Yes/No
rpp



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T.V.THAMILSELVI, J.

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