



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2024

CORAM:

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

CRL.OP No. 19587 of 2022

- 1 N.KANAGAVEL
S/O. NATARAJAN NO.130/1 VELLALA STREET
PURASAIWALKAM CHENNAI.
- 2 MAHESHWARI
W/O. N.KANAGAVEL NO.130/1 VELLALA STREET
PURASAIWALKAM CHENNAI.

...petitioners

Vs.

SUB INSPECTOR OF POLICE
CENTRAL CRIME BRANCH TEAM XXB EDF III
VEPERY CHENNAI.

- 2 B.KUMARAVELU
S/O. B.VARADAIAH NO.61 JOTHISWAMY KOIL
STREET TIRUTANI TIRUVALLUR DISTRICT.

...Respondents

For Petitioner : Mr.P.Paramasivados

For R1 : Mr.S.Vinoth Kumar, Government Advocate (crl. side)

For R2 : Mr.K.P. Gnanasekaran



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PRAYER : This petition has been filed under Section 482 of Cr.P.C, to call for the records and to quash the FIR registered vide Cr.No. 200 of 2021 u/s. 406 420 IPC by the first respondent police against the petitioner/accused in the above said case.

ORDER

The petitioner herein filed this petition to call for the records and to quash the FIR registered vide Cr.No. 200 of 2021 u/s. 406 420 IPC by the first respondent police against the petitioner/accused in the above said case.

2. The case of the prosecution is that the second respondent herein lodged a complaint before the respondent police stating that the petitioner obtained a sum of Rs.85,00,000/- as advance to execute the sale deed in respect of property in Madambakkam, Chennai, but the petitioner failed. Hence, the second respondent lodged a complaint.

3. Heard both sides.

4. On perusal of the records, it reveals that on 28.06.2022 the petitioner has executed a sale deed in favour of the second respondent. On the other side, the learned counsel for the second respondent submitted that the petitioner has to pay the remaining balance amount but on seeing the



recitals of the sale deed, the property was conveyed to the second respondent and also it is a civil dispute. Furthermore, the second respondent given a letter to the respondent police stating that sale deed was executed and he want to withdraw the complaint to that effect copy of the complaint was produced before this Court. The entire facts reveal that the proceedings initiated against the petitioner is vexatious one. Accordingly, FIR in Cr.No. 200 of 2021 registered under Section 406 420 IPC is hereby quashed.

5. In the result, appeal is allowed. No Costs.

08.01.2024

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To
The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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