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Crl.O.P.(MD)Nos.3260 and 3283 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.02.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

Crl.O.P.(MD) Nos.3260 and 3283 of 2022

and

Crl.M.P.(MD).Nos.2447 and 2458 of 2022

Prabha ... Petitioner/A2 in both petitions

Vs.

1.The State, Rep. by its
The Inspector of Police,
CCB Police Station,
Trichy City.
Crime Nos.8 and 7 of 2017

... 1st Respondent/Complainant in both petitions

2.Gomathi ... 2nd Respondent/Defacto complainant
in Crl.O.P.(MD)No.3260 of 2022

3.Uma ... 2nd Respondent/Defacto complainant
in Crl.O.P.(MD)No.3283 of 2022

COMMON PRAYER: Criminal Original Petitions are filed under Section 482 of Cr.P.C, to call for the entire records relating to the impugned FIRs in Crime Nos.8 of 2017 and 7 of 2017 on the file of the first respondent police and quash the same insofar as the petitioner is concerned.



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Crl.O.P.(MD)Nos.3260 and 3283 of 2022

In both petitions:

For petitioner : Mr.M.S.Jeyakarthish
For R-1 : Mr.B.Nambiselvan
Additional Public Prosecutor
For R-2 : No Appearance

COMMON ORDER

This petition has been filed seeking to quash the FIR in Crime No.8 of 2017 on the file of the first respondent police.

2.The case of the prosecution is that the first accused is running an Institute, namely, Bharathiyar Uni School of Development Education. The petitioner is the wife of the first accused. The petitioner along with A1 received a sum of Rs.13,00,000/- and Rs.12,00,000/- respectively, from the victims by giving false promise to get Government job in Bharathiyar Uni School of Development Education and thereafter, they failed to get the job and also refused to return back the amount which were collected from the victims. Hence, the victims made a complaint against the petitioner and other accused before the respondent police and the same was registered in Crime Nos.8 of 2017 and 7 of 2017 for the offences punishable under Sections 465, 468, 471 and 420 of IPC.



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3.The learned counsel appearing for the petitioner would submit that 11 FIRs have been registered against the petitioner, out of which, 8 FIRs in Crime Nos.9 of 2016, 28 of 2016, 27 of 2016, 26 of 2017, 9 of 2017, 4 of 2017, 5 of 2017 and 6 of 2017 were quashed by this Court by its order dated 29.03.2022 and issued a direction to the first respondent to record their settlements and file the additional charge sheet within a period of six weeks along with additional documents which were collected from the victims in C.C.No.1083 of 2021 on the file of the learned Judicial Magistrate No.I, Trichy and on receipt of the same, the learned Judicial Magistrate No.I, Trichy to accept the same and proceed further in accordance with law. Hence, this Court may quash the similar FIRs in the present case and issue a direction to the learned Judicial Magistrate No.I, Trichy to conclude the proceedings in C.C.No.1083 of 2021 within a reasonable time as fixed by this Court.

4.The learned Additional Public Prosecutor appearing for the first respondent has not disputed the said facts submitted by the learned counsel for the petitioner and that the similar FIRs were already quashed by this Court and this Court may issue a direction to the first respondent to record their settlements in Crime Nos.7 and 8 of 2017.



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5. In view of the above, there was a settlement between the parties, the First Information Reports in Crime Nos.7 of 2017 and 8 of 2017 herein are quashed. The first respondent is directed to record their settlements and file the additional charge sheet within a period of six weeks along with additional documents which were collected from the victims in C.C.No.1083 of 2021 on the file of the learned Judicial Magistrate No.I, Trichy. On receipt of the same, the learned Judicial Magistrate No.I, Trichy is directed to accept the same and proceed further in accordance with law.

6. Accordingly, these Criminal Original Petitions are allowed. Consequently, connected miscellaneous petitions are closed.

01.02.2024

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
SJI



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To

- 1.The Judicial Magistrate No.I, Trichy.
- 2.The Inspector of Police,
CCB Police Station,
Trichy City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

SJI

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