



WEB COPY



Crl.O.P.(MD)No.19943 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.19943 of 2022

and

Crl.M.P.(MD).No.13753 of 2022

1.C.M.D.Shanvas Saddique

2.C.M.D.Mohammed Siddik

3.Nazeem Fathima

... Petitioners

Vs.

1.State represented by
the Inspector of Police,
District Crime Branch,
Dindigul District, Dindigul.
(Crime No.26 of 2020)

2.Jamal Mohammed

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for records in connection with the impugned complaint in Crime No.26 of 2022 dated 20.09.2022 pending on the file of the first respondent Police and quash the same.

For petitioners

: Mr.S.Sarvagan Prabhu

For R-1

: Mr.S.Manikandan,
Government Advocate
(Criminal Side)

For R-2

: Mr.H.Lakshmi Shankar



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ORDER

This petition has been filed seeking to quash FIR in Crime No.26 of 2022 for the offences punishable under Sections 294(b), 406, 420 and 506(1) IPC dated 20.09.2022 pending on the file of the first respondent Police, insofar as the petitioners are concerned.

2. The case of the prosecution is that the petitioners herein borrowed a sum of Rs.87,00,000/- from the *defacto* complainant and failed to repay the same. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that there was a money dispute between the petitioners and the second respondent, for which, the second respondent made a complaint before the respondent Police, as if the petitioners cheated a sum of Rs.87,00,000/-. He would further submit that during the pendency of this petition, the petitioners had paid a sum of Rs.67,00,000/- to the second respondent and the remaining sum of Rs.20,00,000/- will have to be paid by the petitioners within a period of four weeks. He would further submit that the petitioners and the second respondent have entered into a compromise and they are ready to file a compromise memo before the concerned Investigating Officer.



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4. Heard the learned Government Advocate (Criminal Side)

appearing for the first respondent Police.

5. The learned counsel appearing for the second respondent would submit that if the remaining amount is paid by the petitioners within a period of four weeks, the second respondent is ready to enter into a compromise with the petitioners.

6. In view of the above, the petitioners and the second respondent are directed to file a compromise memo before the concerned Investigating Officer after repaying the remaining balance amount of Rs. 20,00,000/- to the second respondent and the concerned Police is directed to close the case as “Action Dropped” after filing of the compromise memo by both the parties.

7. Accordingly, the Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

19.03.2024

Index : Yes/No
Internet : Yes/No
NCC : Yes / No
TSG



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To

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



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M.DHANDAPANI. J.

TSG

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