



Crl.O.P.(MD)No.20425 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.20425 of 2022

and

Crl.M.P.(MD).No.14163 of 2022

Sivakumar

... Petitioner

Vs.

1.The State

represented by the Inspector of Police,
District Crime Branch,
Karur District.
(Crime No.15 of 2019)

2.Mathankumar

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned FIR in Crime No. 15 of 2019 dated 22.10.2019 pending on the file of the first respondent and quash the same as against the petitioner.

For petitioner : Mr.V.Sukumar

For R-1 : Mr.B.Nambiselvan,
Additional Public Prosecutor

For R-2 : Mr.S.Gokulraj



WEB COPY



Crl.O.P.(MD)No.20425 of 2022

ORDER

This petition has been filed seeking to quash FIR in Crime No.15 of 2019 dated 22.10.2019 for the offence punishable under Sections 120(b), 294(b), 406, 420 and 506(i) IPC pending on the file of the first respondent insofar as the petitioner is concerned.

2. The case of the prosecution is that the second respondent, who is a Managing Director of one Madhan Car Decors, made a complaint against the petitioner alleging that the second respondent has deposited a sum of Rs.77,00,000/- to the petitioner's company for supplying of cars and the petitioner herein received a sum of Rs.33,00,000/- from the second respondent and the balance amount was received by the other accused persons and thereafter, the petitioner's Company neither repaid the amount nor supplied the car.

3. The learned counsel appearing for the petitioner would submit that during the pendency of this petition, the petitioner has repaid a sum of Rs.33,00,000/- to the second respondent / defacto complainant in different dates and hence, he requests before this Court to quash FIR in Crime No.15 of 2019 against the petitioner.



WEB COPY

CrI.O.P.(MD)No.20425 of 2022



4. The learned counsel appearing for the second respondent would submit that the second respondent has received a sum of Rs.33,00,000/- from the petitioner and hence, he has no objection to quash FIR registered against the petitioner alone.

5. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the investigation is almost completed in this case. If the compromise arrived at between the parties, the case is referred as “action dropped”.

6. Since the matter is settled between the parties, this Court directs the respondent Police to conclude the investigation in Crime No.15 of 2019 and delete the name of the petitioner in the FIR before filing the charge sheet.

7. In view of the above direction, the Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

20.03.2024

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



Cr1.O.P.(MD)No.20425 of 2022

WEB COPY

To

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



WEB COPY



CrI.O.P.(MD)No.20425 of 2022

M.DHANDAPANI. J.

TSG

CrI.O.P.(MD)No.20425 of 2022

20.03.2024