



CRL.O.P. No. 4810 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 17-02-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP NO. 4810 of 2023

Z.R.Anand
Proprietor,
M/s. I Two Company,
Coimbatore.

...Petitioner(s)

Vs

1. State Rep By
Inspector Of Police,
Peelamedu Police Station,
Coimbatore City.

2. M.Senthil Manivanan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C.
praying to call for records and quash the FIR in Crime No.878 of 2022 on the
file of the 1st respondent police.

For Petitioner : Mr.M.Saravanakumar

For Respondents
For R1 : Mr.A.Gopinath,
Govt. Advocate (Crl. Side)



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For R2 : No appearance

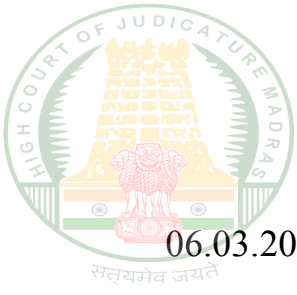
ORDER

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This Criminal Original Petition has been filed to quash the F.I.R. registered in crime No.878 of 2022 on the file of the 1st respondent police for the alleged offence under Secs. 406 and 420 I.P.C.

2. The learned counsel for petitioner would submit that for the very same issue, there is an arbitration clause and accordingly, the claim petition has been made by the 2nd respondent. Accordingly, Mr.J.V.Raj, Retired District Judge was appointed as Arbitrator in Arb. case No.02 of 2023 and the same is still pending. Therefore, he prayed to direct the 1st respondent police to keep the F.I.R. in Crime No. 878 of 2022 in abeyance.

3. The learned Government Advocate (Crl. Side) on instructions, would submit that the Sole Arbitrator Mr. J.V.Raj by an order dated 27.01.2023 in Arb. Case No. 2 of 2023 had passed an award, thereby the petitioner is liable to pay a sum of Rs.6,35,000/- to the 2nd respondent under clause 6(a) of Memorandum of Understanding dated 06.03.2021 and also a sum of Rs.21,60,000/- under clause 6(b) of Memorandum of Understanding dated



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06.03.2021 with cost of Rs.50,000/- within six months from the date of award.

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3. In view of the above submission made by the learned Government Advocate (Crl. Side), the F.I.R. registered in Crime No. 878 of 2022 as against the petitioner is liable to be quashed. Accordingly, this Criminal Original Petition is allowed. However, the 2nd respondent is at liberty to enforce the arbitration award passed as against the petitioner in Arb.Case No.2 of 2023 dated 27.01.2023 in accordance with law.

17.02.2025

Internet:Yes/No

Index :Yes/No

Speaking/Non speaking order

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To

1. The Inspector Of Police, Peelamedu Police Station,
Coimbatore City.

2. The Public Prosecutor,
High Court of Madras, Chennai.



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G.K.ILANTHIRAIYAN, J.

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