



Crl.R.C.Nos.1339 of 2023 & 478 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.Nos.1339 of 2023, 478 of 2024 and
Crl.MP.Nos.11076, 11077 of 2023, 4566, 4567 of 2024

Crl.RC.No.1339 of 2023

K.Usha Rani

..... Petitioner

Vs

State rep by;
The Sub Inspector of Police,
Team I, Central Crime Branch,
O/o. The Commissioner of Police,
Vepery, Chennai 600 007
crime No.663 of 2010

..... Respondent

PRAYER: Criminal Revision Case is filed under Section 397 r/w 401 of Cr.P.C., praying to call for the records in respect of the impugned order dated 09.02.2023 passed by the learned Metropolitan Magistrate Court for CCB/CBCID cases in CMP.No.5760/2020 in CC.No.1250/2018 and set aside the same and consequently allow the revision petition.

For Petitioner : Mr.A.Thirumaran

For Respondent : Mr.A.Gopinath,



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Government Advocate(crl.side)

Crl.RC.No.478 of 2024

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T.Prabhakaran

..... Petitioner

Vs

State of Tamil Nadu,
Rep. by Inspector of Police,
Central Crime Branch, EDF-1, Team-1,
Chennai
(crime No.663 of 2010)

..... Respondent

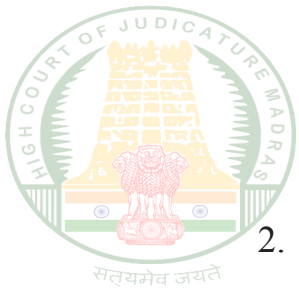
PRAYER: Criminal Revision Case filed under Section 397 r/w 401 of Cr.P.C.,
praying to set aside the order dated 11.09.2023 passed in Crl.MP.No.39066 of
2022 in CC.No.1250 of 2018, on the file of the learned CCB & CBCID
Metropolitan Magistrate Court, Egmore at Chennai 600 008 and allow the
petition as prayed for.

For Petitioner : Mr.Prakash Goklaney

For Respondent : Mr.A.Gopinath,
Government Advocate(crl.side)

COMMON ORDER

Both the criminal revision cases have been filed against the
dismissal of discharge petitions filed in CC.No.1250 of 2018, on the file of the
learned CCB & CBCID Metropolitan Magistrate Court, Egmore at Chennai 600
008.

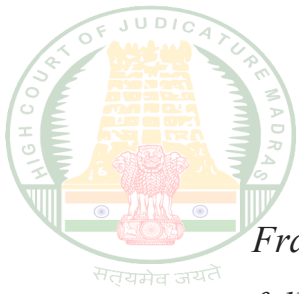


2. The petitioners have been arrayed as A2 and A4 and charged for

the offence punishable under Sections 420, 419, 465, 467, 468, 471 r/w 34 of

IPC. It is brought to notice of this Court that the first accused died. Further, also the defacto complainant and his wife died. The case of the prosecution is that A2 is the power of attorney of the defacto complainant. The defacto complainant and his wife deposited three fixed deposits through fixed deposits for a sum of Rs.15,40,160/-, Rs.10,00,000/- and Rs.8,98,000/- respectively during the year 1997. Thereafter, they settled at France. Every year, the fixed deposits were renewed and new fixed deposits' receipts were issued to them. While being so, the first accused, who is a close relative of the defacto complainant, fraudulently withdrew the said amounts and opened a fictitious account, through which he diverted the amounts for wrongful gain. The wife of A1 is arrayed as A4. She also impersonated and forged the signature of the defacto complainant and issued a closure letter and cheated the defacto complainant. It is seen that both the defacto complainant and his wife died. Their only daughter Niveditha Devi Nathalie has filed affidavit before this Court, the relevant portion of which is extracted hereunder:

Niveditha Devi Nathalie, wife of Mr. Vijayprakash and daughter of late Le Bonheur Baradane and Late Romila Devi, having residence at 36 Rue Jacques Schlosser, 77500, Chelles,



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France, do hereby solemnly and sincerely affirm and state as follows:

1. I am the sole legal heir of my parents abovementioned who were the victims of a series of criminal acts of one Satyanarayana who forged several documents and successfully transferred monies from their accounts to his after gaining their confidence.

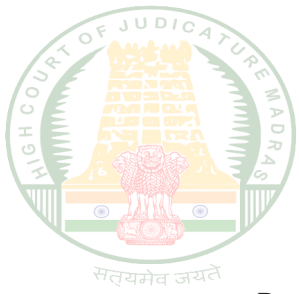
2. As my parents had to leave for France, they had given a power of attorney to the petitioner herein, who is a friend of my husband, to lodge a complaint against the said Satyanarayana and the members of his family. Accordingly, a complaint was lodged and was being investigated for a very long time.

3. A charge sheet was finally filed, arraying the Petitioner as one of the Accused.

4. I submit that both my parents are now no more and I am the sole legal heir to succeed to their estate.

5. The culprit, Mr. Satyanarayana is also no more. I understand a child of his who was also arrayed as an Accused was discharged by the Juvenile Justice Court. The mother of the said Satyanarayana has also filed a Petition for Discharge.

6. On making enquiries I find that the petitioner did not have any role to play in the whole episode. The money that has come into his account which is the basis of the charge sheet against him, remains unused.



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7. *The Petitioner has agreed to hand over the sum of Rs.9,00,000/- on the attachment being released and I am agreeable to the same as a matter of compromise leaving it open to me to pursue remedies against the deceased Satyanarayana and his accounts.*

8. *I find that no useful purpose will be served by continuing the case as the victims as well as the main culprit are no more. It would be only a waste of judicial time. I would also not depose against the Petitioner as he is a friend of my husband and am aware that he is innocent. Also, the Victims, viz., my parents were never examined by the Investigation Officer which is brought out by the evidence let in before the Juvenile Justice Court.*

9. *I am therefore filing this affidavit to state that there has been a compromise in the matter and the complaint itself could be quashed and the matter be closed which would secure the ends of justice.”*

3. Therefore, the matter has been settled between them and she does not want to proceed further. In view of the above, the impugned order dated 09.02.2023 passed by the learned Metropolitan Magistrate Court for CCB/CBCID cases in CMP.No.5760/2020 in CC.No.1250/2018 and the order dated 11.09.2023 passed in Crl.MP.No.39066 of 2022 in CC.No.1250 of 2018, on the file of the learned CCB & CBCID Metropolitan Magistrate Court,



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Egmore at Chennai 600 008, are set aside. Both the petitioners are discharged

from all the charges in respect of the aforesaid calendar case.

4. In the result, both the criminal revision cases stand allowed.

Consequently, connected miscellaneous petitions are closed.

16.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

1.The learned learned CCB & CBCID Metropolitan Magistrate Court, Egmore
at Chennai 600 008

2.Inspector of Police,
Central Crime Branch, EDF-1, Team-1,
Chennai

3.The Sub Inspector of Police,
Team I, Central Crime Branch,
O/o. The Commissioner of Police,
Vepery, Chennai 600 007

4.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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