



Crl.OP.No.20712 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.04.2025

CORAM:

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

Crl.O.P.No.20712 of 2023

and

Crl.MP.No.14140 of 2023

1. S.G.Saravanan@ Ayyasamy
2. Harjeetha @ Anitha
3. Balaji
4. C.Bhuvaneshwaran
5. E.Govindhan

... Petitioners

Vs.

1. State by
The Inspector of Police,
F-3, Nungambakkam Police Station,
Nungambakkam, Chennai-600 035.

2. Rajan Babu

3. The Inspector of Police,
EDF-II, Team 3,
CCB, Vepery, Chennai.
(R3 Suomotu impleaded as per
order dated 08.09.2023 in
(Crl.OP.No.20712of 2023

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in Cr.No.161 of 2023 dated 11.08.2023 for the offence under Sections 406, 420 and 120B of IPC and pending



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investigation on the file of the first respondent and quash the same against the petitioner.

For Petitioners : Mr.S.Mohan Raj

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side)
for R1 and R3
: Mr.Naganathan for R2

ORDER

This petition has been filed to quash the FIR registered in Cr.No.161 of 2023 on the file of the respondent police .

2. The case of the prosecution is that the defacto complainant/second respondent is running a business in the name and style of VL Energys India Private Ltd., at Coimbatore. He has approached A1/Ayyasamy (Saravanan), who is running a financial institution under the name and style of of KG Investment at Anna Nagar West, Chennai for acquiring investment of Rs.500 Crores. A2/Anitha was dealing with the correspondences. On 11.08.2023, the defacto complainant was informed by A1 and A2 that a sum of Rs.500 crores has been arranged to be invested in the defacto complainant's business and for which, he was asked to deposit a sum of Rs.12,60,00,000/- being six months dividend amount as advance. Accordingly, the defacto complainant came to Chennai and entered



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into a Memorandum of Agreement. He was also introduced to A3/Bank Manager who assured that the cheque for Rs.500 crores has been received and the amount will be credited to his account soon. Believing their words, he had deposited a sum of Rs.12,60,00,000/- , immediately, the said amount was transferred to the other account of A1. Since the investment amount of Rs.500 crores was not credited to the account of the defacto complainant, he demanded return of dividend amount(Rs.12,60,00,000/-). Out of which, Rs.2,60,00,000/- was paid by the first petitioner/A1 on the same day to the defacto complainant, but, he said to have issued two cheques for Rs.5 Crores each in favour the defacto complainant. Since A1 has failed to repay the balance amount of Rs.10 crores, the defacto complainant had lodged a complaint before the respondent police as against the petitioners herein and immediately the bank accounts of A1 were freezed.

3. On the complaint lodged by the second respondent, the first respondent registered an FIR against the petitioners in Cr.No.161 of 2023 for the offence punishable under Sections 406, 420 and 120B of



4. Pending this petition, the matter has been referred to mediation and the petitioner had settled the entire amount to the defacto complainant/second respondent. Merely keeping the FIR pending will not serve any purpose and in order to meet the ends of justice, this Court is inclined to quash the FIR.

5. Accordingly, the FIR registered in Crime No.161 of 2023 on the file of the first respondent police is hereby quashed and this Criminal Original Petition is allowed. Consequently, the connected miscellaneous petition is closed.

6. If any original document is under the custody of the first petitioner, the first petitioner is directed to hand over the same to the second respondent within a period of two weeks from the date of receipt of a copy of this order.

Vv

08.04.2025

To

1. The Inspector of Police,
F-3, Nungambakkam Police Station,
Nungambakkam, Chennai-600 035.



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2. The Inspector of Police,
EDF-II, Team 3,
CCB, Vepery, Chennai.

3. The Public Prosecutor,
Madras High Court,
Chennai.

G.K.ILANTHIRAIYAN, J.

Vv



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