



Crl.O.P.No.29623 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.01.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.29623 of 2024

and

Crl.M.P.No.16574 of 2024

1. Keerthikumar, S/o Narayanan

2. Sathya, W/o Keerthikumar

.. Petitioners

Vs.

1. The State rep. by Inspector of Police,
District Crime Branch,
Salem District. (Crime No.1 of 2022)

2. Vijay Bhandari,
DGM HR. Admin,
AXA Parenterals Limited,
Kishmpur-Jmalpur Village,
Roorkee,
Haridwar District,
Uttarakhand.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. / 528 B.N.S.S. to
call for the records pertaining to the FIR in Crime No.1 of 2022 on the file of the
first respondent-Police and quash the said F.I.R.



Crl.O.P.No.29623 of 2024

For petitioner : Mr.J.Franklin

For respondents: Mr.S.Sugendran, Addl.P.P. for R-1

No appearance for R-2

ORDER

The petitioner has filed this petition praying to call for the records pertaining to the FIR in Crime No.1 of 2022 on the file of the first respondent-Police and quash the said F.I.R.

2. In this case, though the private notice sent to the second respondent had been served, none appeared for the second respondent.

3. Learned counsel for the petitioner submitted that, due to business transaction, the amount is due, as per the allegation of the prayer in the de-facto complainant. This Court is of the view that it is purely civil in nature, but the parties have treated the dispute by giving the criminal colour and therefore, the the learned counsel for the petitioner prayed that the FIR in Crime No.1 of 2022, may be quashed.

4. Learned Additional Public Prosecutor appearing for the first respondent

Page No.2/5



Crl.O.P.No.29623 of 2024

submitted that the petitioner had not paid the consignment amount and a case has been registered and investigation is pending.

5. On a reading of the FIR, it is clear that there is business transaction between the petitioner and the second respondent and the payments are due for supplying the goods and thus, there are payment-dues under consignment, and thus, the dispute is purely civil in nature. Despite the private notice having been served on the second respondent, the second respondent did not appear before this Court today. As the second respondent / de-facto complainant is not interested in prosecuting the case, the FIR in Crime No.1 of 2022 is hereby quashed. The second respondent / de-facto complainant is directed to work out the remedy in the manner known to law, for recovery of the amount.

6. With the above observations/directions, this petition is allowed. Consequently, Crl.M.P.No.16574 of 2024, is closed.

08.01.2025

CS

Page No.3/5



Crl.O.P.No.29623 of 2024

WEB COPY

- To
1. The State rep. by Inspector of Police,
District Crime Branch,
Salem District. (Crime No.1 of 2022)
 2. The Public Prosecutor, High Court, Madras.



WEB COPY



CrI.O.P.No.29623 of 2024

P.VELMURUGAN, J

CS

CrI.O.P.No.29623 of 2024

08.01.2025

Page No.5/5