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Crl.O.P.(MD) No.9317 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 23.06.2026

Pronounced on : 14.07.2026

CORAM:

THE HON'BLE Mr.JUSTICE **P.DHANABAL**

**Crl.O.P.(MD) No.9317 of 2023 &
Crl.M.P.(MD) No.7619 of 2023**

1. Saravanamuthu
2. Mohamed Faizal
3. Askar Ali

...Petitioners / A.1, A.4 and A.5

Vs.

1. State rep. By
The Inspector of Police,
District Crime Branch /
Anti Land Grabbing Special Cell,
Ramanathapuram, Ramanathapuram

2. Meenatchi

... Respondents

Prayer:

Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the Impugned FIR in Crime No.2 of 2023 dated 20.01.2023 on the file of the 1st respondent-police and quash the same.

For Petitioner : Mr.J.Veerakumar
For Respondents : Mr.P.Vetrivel for R1
Government Advocate (Crl.Side)
Mr.J.Barathan for R2

ORDER

This petition has been filed by the petitioners to quash the pending proceedings of First Information Report in Crime No.2 of 2023 dated 1/7



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20.01.2023 on the file of the first respondent-Police.

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2. The prosecution case is that the petitioners and others colluded each other and created documents and thereby cheated the defacto complainant. Originally, the disputed property belonged to one Karupayee Ammal and the said Karupayee Ammal executed settlement deed in the year 2019 in favour of Rathinasamy, who is the husband of the defacto complainant. Thereafter, the said Rathinasamy, inturn executed the settlement deed in favour of the defacto complainant on 01.09.2021, thereby the defacto complainant became entitled to the property. While so, the accused 1 and 2 taking advantage of the age of the said Karupayee Ammal, once again, created documents, i.e., settlement deed dated 06.05.2022 and thereby they committed the offences under Sections 465, 468, 471, 420 and 120B of IPC and hence the defacto complainant lodged a complaint. Based on the complaint, the first respondent, registered a case in Crime No.2 of 2023 for offences punishable under Sections 465, 468, 471, 420 and 120B of IPC. The petitioners / accused 1, 4 and 5 have challenged the said FIR on various grounds.

3. The learned counsel appearing for the petitioners submitted that the second respondent has lodged a false complaint against the petitioners and others without verifying the veracity of the complaint, the first

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respondent registered a case in Crime No.2 of 2023 for offences punishable under Sections 465, 468, 471, 420 and 120B of IPC, there are no ingredients to constitute the offences under Sections 465, 468, 471, 420 and 120B of IPC, therefore, pending FIR is liable to be quashed, as against the petitioners. Further, the learned counsel appearing for the petitioners has relied on the Judgment of the Hon'ble Supreme Court reported in **(2009) 8 Supreme Court Cases 751 [Mohammed Ibrahim and Others Vs. State of Bihar and Another]** to substantiate his contention.

4. The learned Government Advocate (Crl.Side) appearing for the first respondent would submit that based on the complaint lodged by the second respondent, they registered a case in Crime No.2 of 2023 for offences punishable under Sections 465, 468, 471, 420 and 120B of IPC, and thereafter, conducted elaborate investigation and as per the investigation, there are prima facie materials available as against the petitioners and thereby the 1st respondent filed the charge sheet and the same is pending for taking cognizance by the trial court, thereby pleaded to dismiss the petition.

5. The learned counsel appearing for the second respondent would submit that the petitioners and others have created forged documents in order to cheat the defacto complainant. In fact, the property originally



belonged to Karupayee Ammal and the said Karupayee Ammal settled the property in favour of her son Rathinasamy, who is the husband of the defacto complainant, in turn, he executed a settlement deed in favour of the second respondent / defacto complainant in the year 2021, while so, in order to cheat the defacto complainant, they created the documents for the purpose of cheating and thereby she lodged a complaint, based on the complaint, the case has been registered. Thereafter, the first respondent conducted investigation and filed final report. As per the final report, there are some allegations to constitute the offences, thereby prayed to dismiss the petition.

6. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) appearing for the first respondent and the learned counsel appearing for the 2nd respondent and perused the documents placed on record.

7. On perusal of the records, it is observed that due to some property dispute, the second respondent lodged a complaint, as against the petitioners and others and based on the said complaint, a case in Crime No.2 of 2023 has been registered for offences under Sections 465, 468, 471, 420 and 120B of IPC, thereafter, the first respondent conducted investigation and filed the final report. In the meantime, the said FIR has



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been challenged through this Petition. Since the investigation officer filed final report, after elaborate investigation, it is for the petitioners to challenge the final report, as there are some allegations to constitute the offence as per the FIR.

8. It is well settled law that as far as quashment of FIR is concerned, unless, there are strong grounds, the FIR cannot be quashed. In this case, as per the FIR, there are serious allegations to constitute offences. Moreover, after filing of FIR, the first respondent police conducted investigation and filed final report and the final report is not before this Court and hence as per the FIR and the available records, there are averments to constitute the offences and thereby it is not appropriate to quash the FIR at this stage and the petitioners are at liberty to challenge the charge sheet in the manner known to law.

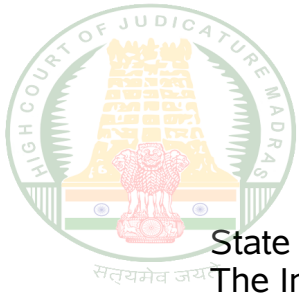
In view of the same, this petition has no merits and deserves to be dismissed and accordingly, this Petition is dismissed. Consequently, connected miscellaneous petition is closed.

14.07.2026

Index:Yes/No
Internet:Yes/No
Speaking / Nonspeaking order
ssd

To

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State rep. By
The Inspector of Police,
District Crime Branch /
Anti Land Grabbing Special Cell,
Ramanathapuram,
Ramanathapuram



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P.DHANABAL, J.

ssd

**Pre-delivery Order in
Crl.O.P.(MD) No. 9317 of 2023**

14.07.2026