

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.14486 of 2015
and M.P.No.1 of 2015

JK Jewellery Jayakumar ...Petitioner/(4th Accused)

Vs

1.State rep by
Inspector of Police,
District Crime Branch,
Anti Land Grabbing Special Cell,
Tiruppur.

2.Uma Maheswari ... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to call for the records and quash the FIR in Crime No.15 of
2012 on the file of the 1st respondent police as against the
petitioner/4th accused namely JK Jewellery Jayakumar.

For Petitioner : Mr.N.Baaskaran
For Respondents : Mr.C.Emalias,
Addl. Public Prosecutor [for R1]

O R D E R

Seeking a prayer to quash the FIR in Crime No.15 of 2012 on
the file of the 1st respondent.

2. Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the 1st
respondent and perused the materials placed on record.

3. This is a petition seeking to quash the FIR in Crime No.15
of 2012 which has been registered against six persons for the
offences under section 406, 419, 420, 467, 468, 471 and 120[b] IPC.
On a reading of the FIR, it is seen that there are sufficient
materials available for the investigation to proceed. The Hon'ble
Supreme Court in State of Haryana Vs Bhajan Lal 1992 Supp [1] SCC
335 has laid down the parameters for quashing the FIR and the FIR
in this case does not pass the test laid down in the said case.

4. At this juncture, the learned counsel for the petitioner
submitted that in the proceedings before the Debt Recovery Tribunal
[DRT], Coimbatore in O.A.No.155 of 2007, there is a finding by the

Tribunal that this petitioner is an innocent purchaser of the property and the property was purchased from the mother of the defacto complainant.

5. The petitioner is directed to submit a copy of the DRT order to the Investigating Officer and the Investigating Officer shall also thoroughly investigate the case, in order to find out, if really the petitioner is an innocent purchaser. If the Investigating Officer find that the petitioner is an innocent purchaser, then he will have to be naturally excluded from the Final Report.

6. With the above observation, this Criminal Original Petition is closed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gya
To

1.The Inspector of Police,
District Crime Branch,
Anti Land Grabbing Special Cell,
Tiruppur.

2.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr. N. Baskaran, Advocate Sr.29427

MG(CO)
EU 26.05.15

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