

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.17834 of 2015 and
MP.No.1 of 2015

A.Varatharajan ... Petitioner/Accused.

Vs

1.The State rep by its
The Sub Inspector of Police,
District Crime Branch [Land Grabbing Cell]
Kancheepuram. ... Respondent/Complainant.

2.Delli Durai ... Respondents/Defacto Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to call for the records pertaining to Crime No.95 of 2012
dated 21.11.2012 on the file of the 1st respondent Police and quash
the same.

For Petitioner : Mr.E.C.Ramesh

For Respondents : Mr.C.Emalias,
Addl. Public Prosecutor

O R D E R

This petition has been filed to quash the proceedings in Crime
No.95 of 2012 dated 21.11.2012 on the file of the 1st respondent
Police.

2. Heard the learned counsel for the petitioner; learned
Additional Public Prosecutor appearing for respondents and perused
the materials placed on record.

3. This petition has been filed by All for quashing the FIR in
Crime No.95 of 2012 on the ground that the petitioner is the innocent
purchaser and he has been falsely implicated in this case.

4. Learned Additional Public Prosecutor submits that
investigation in this case almost completed and Final Report is
ready.

5. Under such circumstances, this Court directs the Investigating Officer to examine threadbare the culpability of this petitioner and if he is found to be innocent, he should not be included in the Final Report. The respondent is directed to complete his exercise within a period of four weeks and file a report before the concerned Magistrate. In the event that this petitioner is made an accused, liberty is given to the petitioner to approach this Court challenging the Final Report, if there are no materials against him.

6. It is represented by the learned counsel for the petitioner that this accused has even reconveyed the property in question to the de facto complainant.

7. The Investigating Officer is directed to take into consideration all these aspects and if the petitioner is found to be innocent, he shall not be included in the Final Report.

With the above direction, this petition is closed.

gya

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Sub Inspector of Police,
District Crime Branch [Land Grabbing Cell]
Kancheepuram.

2.The Public Prosecutor,
High Court, Madras.

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