

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.19992 of 2015
and M.P.No.1 of 2015

1.L.S.Harish

2.H.S.Pooja

.. Petitioners/A1 & A2

Vs

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

2.P.N.Meenachisundaram

.. Respondents/Complainant/Defacto Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Cr.No.24 of 2015 on the file of the 1st respondent and quash the FIR.

For Petitioners : Mr.G.Arul Murugan
For R1 : Mr.C.Emalias,
Additional Public Prosecutor
For R2 : Mr.P.N.Meenachi Sundaram

ORDER

This petition has been filed to call for the records in Cr.No.24 of 2015 on the file of the 1st respondent and quash the FIR.

2. On a complaint lodged by Meenachisundaram [second respondent], the first respondent police registered a case in Cr.No.24 of 2015 on 13.04.2015 for offences under Sections 406, 420 and 506(ii) IPC against two accused, challenging which they are before this Court for quashing the FIR.

3.Today, Mr.C.Karthikeyan, Inspector of Police, Anti Land Grabbing Cell, Coimbatore City is present before this Court. P.Meenachisundaram, defacto complainant is also present and he is identified by the Inspector of Police. Meenachisundaram has filed an affidavit, wherein he has stated as follows:

"2. The petitioners humbly submit that the petitioners made application to the Corporation for survey and the Surveyor from the Corporation

conducted a Survey and issued the Survey extract on 25.03.2015, making it clear that the petitioners has not encroached any portion of the lands belonging to me and that they are only in possession of their own lands.

3. I humbly submit that from the survey report, I came to know that the petitioners have not encroached any portion of the lands belonging to me. As such I decided to withdraw the complaint and submitted a statement to the 1st respondent herein on 28.07.2015, withdrawing my complaint and further have requested the 1st respondent to drop all further proceedings in the above case.

4. I humbly submit that as I have withdrawn the complaint, I have not objection in allowing the above petition by quashing the FIR registered against the petitioners in Crime No.24 of 2015 on the file of the 1st respondent."

In view of the above, this petition is allowed and the FIR in Cr.No.24 of 2015 is hereby quashed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

gms

To

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

2.The Public Prosecutor,
High Court, Madras.

1 cc to Mr. G.Arul Murugan, Advocate Sr.No.45606

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pmk.28.8.2015