



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

CRL.O.P (MD) No.9585 of 2015

and

M.P (MD) No.1 of 2015

1.N.Sakthivel

2.Rahini

3.Prema

...Petitioners/Accused No.1 to 3

.vs.

The State, represented by

1.The Inspector of Police,
District Crime Branch,
Anti Land Grabbing Wing,
Dindigul District.
(Crime No.6 of 2015)

..1st Respondent/Complainant

2.Muthusamy

..2nd respondent/De-facto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code praying this Court to call for the records in Crime No.6 of 2015 on the file of the first respondent Police and pass such further or other orders.

For Petitioners : M/s.P.Muthusamy

For Respondent-1 : Mr.K.Anbarasan
Govt.Advocate (Crl.side)

For Respondent-2 : M/s.D.Selvaraj

ORDER

This Criminal Original Petition has been filed under Section 482 of Cr.P.C.praying this Court to call for the records in Crime No.6 of 2015 on the file of the first respondent Police.



2. Heard the learned counsel for the Petitioners, learned Government Advocate (Crl. Side) appearing for the respondent No. I/State and learned counsel for the second respondent and perused the records.

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3. The allegation in the complaint is to the effect that the Petitioners misused the power deed said to have been executed by A4 in her husband's name and using the same he executed a sale deed in favour of his wife's sister and executed a sale deed to his own wife. This is said to have been done after the sale deed have been executed by A4 represented by her mother in favour of the defacto complainant. These are all the matters for investigation. Mere pendency of the suit at the instance of the Petitioners cannot be a ground to quash the proceedings and as to whether any cognizable offence is made out is a matter for investigation.

4. In view of the same, the Criminal Original Petition is dismissed. However, the first respondent Police is directed to conclude the enquiry in Cr.No.6 of 2015 and file a final report within a period of six months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (Writ)

/True copy/

Sub Assistant Registrar

vsn

To

1. The Inspector of Police,
District Crime Branch,
Anti Land Grabbing Wing,
Dindigul District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to MR.D.SELVARAJ, ADVOCATE IN SR NO.37313

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