

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2016

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.25315 of 2016 &
Crl.M.P. No.12280 of 2016

V. Dheenadhayalan ..Petitioner
Vs.

1 The Inspector of Police
Central Crime Branch - EDF - 3
Office of the Commissioner of Police
Vepery
Chennai

2 T.K.S. Pugazhenthii ..Respondents

Criminal Original Petition filed under Section 482 of the
Code of Criminal Procedure to call for the records and quash
the Crime No.141 of 2015 on the file of the Central Crime
Branch, EDF-3, Chennai.

For petitioner Mr. P. Sesubalan Raja

For R1 Mr. C. Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to
call for the records and quash the Crime No.141 of 2015 on the
file of the Central Crime Branch, EDF-3, Chennai.

2 On the complaint lodged by one Pugazhenthii, the
second respondent herein, the first respondent police
registered a case in Crime No.141 of 2015 on 26.10.2015 under
Sections 406 and 420 IPC against Venkatachalapathy,
Dheenadayalan and certain others, challenging which,
Deenadhayalan is before this Court.

3 Heard Mr.Sesubalan Raja, learned counsel for
Deenadhayalan and Mr. C. Emalias, learned Additional Public
Prosecutor for the first respondent State.

4 On a reading of the FIR, it is seen that Pughazhendi
(de facto complainant) has entered into a sale agreement with
the opposite parties for the purchase of certain lands and
that he had also paid some advance amount to various persons

who had share in the land. Now, it is contended by Pugazhenthhi that they are not coming forward for registering the document.

5 On a reading of the complaint of Pugazhenthhi, it is seen that he has not stated the date on which, he had entered into the sale agreement. That apart, he has not given any particulars as to when he paid various amounts. Thus, the case, prima facie appears to be a civil case, which, Pugazhenthhi wants to give a criminal colour.

6 The learned counsel for the petitioner submitted that Dheenadayalan has been released on anticipatory bail.

7 In view of the above, there is no imminent threat of arrest for Dheenadayalan. Under such circumstances, the first respondent police is directed to conduct a thorough investigation and if it is found that it is purely a civil dispute, it is needless to state that the FIR should be closed.

With the above direction, this Criminal Original Petition is closed. Connected Crl.M.P. is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

cad
To

- 1 The Inspector of Police
Central Crime Branch - EDF - 3
Office of the Commissioner of Police
Vepery
Chennai
- 2 The Public Prosecutor
High Court of Madras
Chennai 600 104

Crl.O.P. No.25315 of 2016

NR1 (CO)
EU 16.12.16