

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.4739 of 2016

and

Crl.M.P.Nos.2503 & 2504 of 2016

1.Nisha
2.Mani

... Petitioners

Vs.

1.State rep. by
The Inspector of Police,
M-3, Puzhal Police Station,
Chennai.

2.Rajesh Kannan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.299 of 2015 pending on the file of the District Munsif cum Judicial Magistrate Court, Thiruvottiyur, Thiruvallur and quash the same.

For Petitioners :Mr.A.Saranraj

For Respondent-1 :Mr.C.Emalias

Addl. Public Prosecutor

O R D E R

This petition is filed for quashing the proceedings in C.C.No.299 of 2015 on the file of the learned District Munsif-cum-Judicial Magistrate, Thiruvottiyur.

2.Learned counsel for the petitioners submits that the petitioners herein have been arrayed as accused 3 and 4 in C.C.No.299 of 2015 for the offences under Sections 420 and 506 (ii) IPC. He further submits that the petitioners are nothing to do with the alleged offences and they are only attestors of the settlement deed allegedly executed by A1 in favour of A2.

Therefore, the petitioners have come forward with this petition for the above stated relief.

3.Heard the learned Additional Public Prosecutor.

4.The case of the prosecution is that A1 is the owner of the property and he obtained a loan from L.I.C. by pledging the original document. Thereafter, A1 has given a complaint before Sembiam police station as if the original document has been missing and he also got missing certificate. Further, A1 has obtained certified copies of the document from the Sub-Registrar office and executed a settlement deed in favour of his wife/A2, in which, the petitioners/A3 and A4 are attestors. The petitioners herein are none other than the daughter and son-in-law of A1 respectively.

5.In view of the above, a prima facie offence has been made under Section 420 IPC. Under such circumstances, I do not find any merits in this petition. The Criminal Original Petition deserves to be dismissed and it is hereby dismissed. Consequently, connected Miscellaneous Petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Inspector of Police,
M-3, Puzhal Police Station,
Chennai.

2.The District Munsif-cum-Judicial Magistrate, Thiruvottiyur.

3.The Public Prosecutor
High Court, Chennai.

CrI.O.P.No.4739 of 2016

and

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