



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.03.2016

CORAM
THE HONOURABLE MR. JUSTICE P.N. PRAKASH

WEB COPY

Crl.O.P. (MD) No.5044 of 2016
and
Crl.M.P. (MD) .No.2489 of 2016

V.Janarthanan

... Petitioner

Vs.

1. The State of Tamil Nadu represented by
the Inspector of Police (ALGSC),
Anti Land Grabbing Special Cell,
Ramanathapuram,
(Crime No.66 /2015)

2. M.Marimuthu

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.66 of 2015 on the file of the respondent No.1 and quash the same.

For Petitioner : Mr.R.Sundar Srinivasan
For R1 : Mrs.S.Prabha
Government Advocate (Crl.Side)

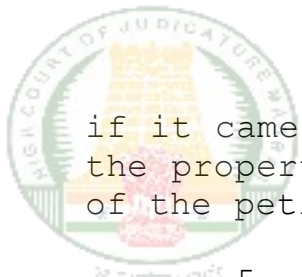
O R D E R

This Criminal Original Petition has been filed to quash the F.I.R. in Crime No.66 of 2016 on the file of the first respondent as against the petitioner.

2. It is seen that the property in question belonged to Masilamani, who is the father of the de-facto complainant. He having purchased the same from the accused Devasahayam and his brothers way back on 23.04.1984. While so, the said Devasahayam has sold the same property to the petitioner herein on 15.10.2008.

3. The learned counsel for the petitioner submitted that the petitioner has also victim at the hands of Devasahayam and therefore, the F.I.R. should be quashed.

4. In the considered opinion of this Court, if the investigation is stayed, it will ensue to the advantage of Devasahayam (A1). Hence, the respondent police is directed to conduct the investigation and during the course of investigation,



if it came to know that the petitioner is a *bona fide* purchaser of the property from Devasahayam, it is needless to say that the name of the petitioner shall be deleted in the final report.

5. The learned counsel for the petitioner produced the copy of the letter dated 05.03.2016 said to have been given by the de-facto complainant stating that he is withdrawing the case as against the petitioner.

6. With the above observation, this Criminal Original Petition is closed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

akv

To

1. The Inspector of Police (ALGSC),
Anti Land Grabbing Special Cell,
Ramanathapuram,
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to Mr.R.Sundar Srinivasan, Advocate, SR No.16558

RG.JGB-DP 13.04.2016 2P.4C

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