



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD)No.5415 of 2016

and

Cr1.M.P. (MD) .No.2697 of 2016

R.Malika

... Petitioner/Accused

Vs.

1. The Inspector of Police,
The District Crime Branch,
Karur,
Crime No.17 of 2015.

... Respondent/Respondent

2. The Tahsildar,
Kulithalai Taluk,
Karur District.

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to Crime No.17 of 2015 on the file of the 1st respondent and quash the same as against the petitioner herein.

For Petitioner : Mr.S.Jayavel

O R D E R

This Criminal Original Petition has been filed to quash the F.I.R. in Crime No.17 of 2015 as against the petitioner herein.

2. On the complaint lodged by the Tahsildar, the present F.I.R. has been registered by the respondent police in Crime No.17 of 2015 for the offences under Sections 120(b), 420, 465, 468, 471, 464 and 474 of I.P.C. Challenging which, the petitioner is before this Court.

3. On a reading of the F.I.R., it is alleged by the Tahsildar that the land belong to the Government has been illegally sold by some of the accused by registering Document No.1760 of 2014 dated 16.07.2014.

4. The learned counsel for the petitioner submitted that he is only an innocent signatory as an additional witness and he has no mensrea.

5. The fact remains that the Government lands have been dealt with by the accused and only during the course of investigation, it will come to light whether the petitioner had mensrea and the law relating to quashing of the F.I.R. has been formally settled by the Supreme Court in **State of Haryana V. Bhajan Lal** reported in **AIR 1992 SUPREME COURT**.



6. In the light of the above, this is not a fit case to quash the F.I.R. at this stage. Hence, the Criminal Original Petition stands devoid of merits and the same is dismissed. Consequently, the connected Miscellaneous Petition is closed.

WEB COPY

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
The District Crime Branch,
Karur.
2. The Tahsildar,
Kulithalai Taluk,
Karur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Jayavel, Advocate SR.No.18061

sm:AN-MP:25.04.2016:2P/5c

Cr1.O.P. (MD) No.5415 of 2016
30.03.2016