



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2016

CORAM

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

Cr1.O.P.(MD).No.7539 of 2016andCr1.M.P.(MD).No.3812 of 2016

K.Selvaraj

... Petitioner

-vs-

1.The Inspector of Police,
Anti Land Grabbing Special Cell
Trichy City(Cr.No.22/103)

2.S.Mahaveer Chand

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Cr. Procedure, to call for the records relating to the First Information Report in Cr.No.22 of 2013 on the file of the first respondent and quash the same.

For Petitioner : Mr.M.Kumar
For Respondents : Mrs.S.Prabha
Government Advocate (Cr1.side)

O R D E R

This criminal original petition has been filed, to quash the First Information Report in Cr.No.22 of 2013 on the file of the first respondent.

2. On the complaint lodged by one Mahaveer Chand, the respondent police registered a case in Crime No.22/2013 for offences under sections 419, 420, 468, 447 IPC against K.Selvaraj/A1, Rajkumar/A2. Challenging which, Selvaraj is before this Court.

3. It is the case of the de-facto complainant that he is the owner of certain property and that one Selvaraj has sold the de-facto complainant's property vide document No.74/02 on 09.01.2002. On a perusal of the said sale deed, it is averred, there is a recital in the sale deed that the de-facto complainant has executed a power of attorney in favour of Rajkumar, who in turn, has sold the property to Selvaraj. It is the contention of the de-facto complainant that he has not executed any power of attorney in favour of Rajkumar. This requires investigation by the police and therefore, the FIR cannot be quashed at such a nascent stage, in the light of the law laid down by the Supreme Court in State of Haryana and others vs. Bhajan Lal and others reported in 1992 Supp (1) SCC 335. Hence, this petition is devoid of merits and the same is dismissed. The respondent police is directed to expeditiously conduct



investigation and file a final report or closure report as the case may be. Consequently connected Miscellaneous Petition is closed.

Sd/

Assistant Registrar(AE)

/True Copy/

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Sub Assistant Registrar.

To

1. The Inspector of Police,
Anti Land Grabbing Special Cell
Trichy City.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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and
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AM/GSV/12.05.2016/2P/3C