

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.8063 of 2017

S.T.G.Gangadaran

... Petitioner /Defacto Complainant

Vs

State rep. by
Inspector of Police,
CCB, Team XVIII,
Vepery,
Chennai - 7.

... Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to expedite the investigation by collecting the documents including (i) forged sale deed document No.7288 of 2002 dated 28.10.2002 (ii) Power of attorney document No.1283 of 2002 dated 5.7.2002 (iii) Cancellation of power of attorney document no.1940 of 2002 dated 18.10.2002 and (iv) Declaration deed dated 16.10.2002, which were produced before the learned Magistrate, Land Grabbing Court No.I, Periamet at Chennai and to file the final report expeditiously in Crime No.53/2014.

For Petitioner : Mr.C.M.Gunasekaran

For Respondent : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondent to expedite the investigation by collecting the documents such as, (i) sale deed bearing Document No.7288 of 2002 dated 28.10.2002 (ii) Power of attorney bearing Document No.1283 of 2002 dated 5.7.2002 (iii) Cancellation of power of attorney deed bearing Document No.1940 of 2002 dated 18.10.2002 and (iv) Declaration deed dated 16.10.2002, which were produced before the learned Magistrate, Land Grabbing Court No.I, Periamet at Chennai and file a final report expeditiously in Crime No.53/2014 pending on his file.

2. The case of the petitioner is that his complaint was registered as FIR in Crime No.53 of 2014 for the offences under Sections 465, 467, 468, 471 and 474 IPC, pursuant to the direction of this Court by order dated 19.08.2013 passed in

Cr1.OP.No.20156 of 2013. However, till date, final report was not filed. According to the petitioner, the documents, such as, (i)sale deed bearing Document No.7288 of 2002 dated 28.10.2002 (ii)Power of attorney bearing Document No.1283 of 2002 dated 5.7.2002 (iii)Cancellation of power of attorney deed bearing Document No.1940 of 2002 dated 18.10.2002 and (iv)Declaration deed dated 16.10.2002 are the subject matter of investigation and are on the file of the learned Magistrate, Land grabbing Court No.I, Periamet, Chennai. Further, the Deputy Commissioner of Police, Central Crime Branch, Chennai-7 in his communication dated 30.07.2014 addressed to the Inspector General of Registration, Chennai, has stated the sale deed bearing Document No.7288 of 2002 on the file of SRO, Sembium as fraudulent one through impersonation and requested to take appropriate action for cancelling the said document. Hence, this petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor, who took notice for the respondent.

4. Considering the facts and circumstances of the case and also taking note of the fact that the FIR is pending from the year 2014 without any progress, this Court directs the respondent to investigate the case in Crime No.53 of 2014 pending on his file, in the light of the documents stated by the petitioner and file a final report as expeditiously as possible, preferably, within a period of eight weeks from the date of receipt of a copy of this order.

5. Accordingly, the Criminal Original Petition is disposed of.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

rk

To

1. Inspector of Police,
CCB, Team XVIII,
Vepery,
Chennai - 7.
2. The Public Prosecutor,
High Court, Madras -104.

WEB COPY

3. The Judicial Magistrate,
Land Grabbing Court-No.I
Periampet

+lcc to Mr.C.M.Gunasekaran, Advocate in sr.no.42218

Crl.O.P.No.8063 of 2017

SCP (CO)
NR 27/06/2017



WEB COPY