

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.04.2017

CORAM

THE HON'BLE JUSTICE MR.JUSTICE C.T.SELVAM

Crl.OP.No.27474 of 2013
and
M.P.No.1 of 2013

1.K.P.P.Samy
2.K.P.Sankar

...Petitioners

Vs

1.State rep. by
The Inspector of Police,
H-8, Thiruvottriyur Police Station,
(Crime Branch), Chennai-19.
(Crime No.1224 of 2011)

2.S.Jayalakshmi

....Respondents

The Criminal Original petition is filed under section 482 of Crl.P.C., to call for the records relating to FIR in Cr.No.1224 of 2011 on the file of the Inspector of Police, H-8, Thiruvottriyur Police Station, (Crime Branch), Chennai and to quash the same.

For Petitioners : Mr.Shanmugasundaram,
Senior Counsel
for Mr.C.Prabakaran

For Respondents : Mr.R.Rajarathinam
Public Prosecutor for R1
Mr.K.P.Chandrasekaran for R2

ORDER

The case in Cr.1224 of 2011 on the file of the first respondent has been registered for the offences under Sections 419, 465, 468, 471, 120(B), 420 r/w 149 of IPC.

2. The complaint of the second respondent/defacto complainant is that after the death of her parents, A1 impersonated her mother and effected sale of property to A2.

3. Learned Senior Counsel submitted that the only allegations against the petitioners, who have been arrayed as A3 and A4 is that A1 and A2 had their blessings. He further submitted that if, on such allegations prosecution of a person were to be permitted, there is grave danger to our traditional culture of receiving the blessings of elders.

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4. Learned Government Advocate (Crl.side) submitted that if on completion of investigation no offence of petitioners was revealed, they, in filing the final report, would be deleted from the array of accused. Learned counsel for second respondent concurred.

5. We have no hesitation in accepting said contention of learned Senior Counsel.

6. This Criminal Original Petition is allowed and case in Cr.No.1224 of 2011 on the file of first respondent is quashed in so far as petitioners are concerned. Consequently, connected miscellaneous petition is also closed.

26.04.2017

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Index : Yes/no
Internet : Yes/no

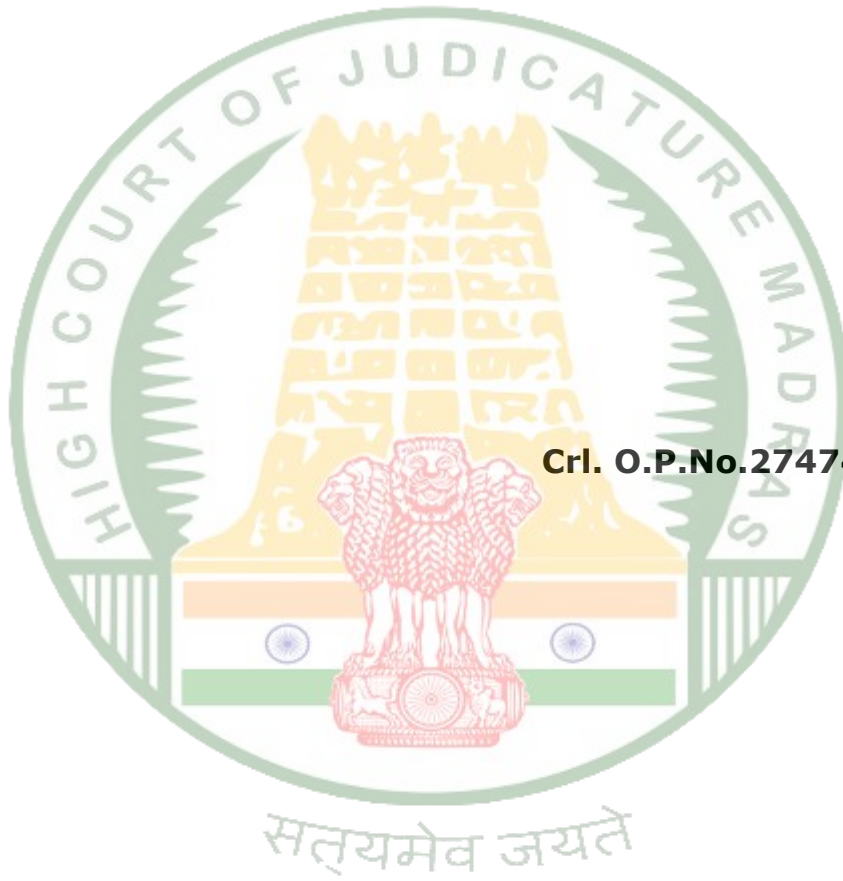
To

1. The Inspector of Police,
H-8, Thiruvottriyur Police Station,
(Crime Branch), Chennai-19.
2. The Public Prosecutor,
High Court, Madras-104.

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C.T.SELVAM, J.,

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