



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.06.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No.7273 of 2017 &

Crl.M.P. (MD) .No.4946 of 2017

WEB COPY

- 1.Kandasamy
- 2.Selvam
- 3.Jegadeesh

: Petitioners/Accused Nos.1 to 3

-Vs-

- 1.The State Rep. by
The Insepctor of Police,
Kuruvikulam Police Station,
Tirunelveli District.
(Crime No.50 of 2017)

: 1st Respondent/Complainant

- 2.Abiragam

: 2nd Respondent/Defacto complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to call for the First Information Report bearing Crime No.50 of 2017 on the file of the Inspector of Police, Kuruvilam Police Station, Tirunelveli District and quash the same as illegal and devoid of merits.

For Petitioners

: Mr.S.Palanivelayutham

For Respondents

: Mr.K.Anbarasan

Government Advocate (Crl.Side)
for R.1

ORDER

It is the case of the petitioner that the petitioner had executed a sale deed in respect of a property on 05.05.1999 after receiving a sale consideration of Rs.1,00,000/-. When the defacto complainant went to the Taluk office for obtaining patta for the said property, it came to light that the said property is a Panchayat Office, which the petitioner has sold to the defacto complainant. When this was questioned, the petitioner gave a patta to the defacto complainant which was found to be a bogus document with the seal and signature of authorities. Hence the First Information Report.

2. The learned counsel for the petitioner submitted that for the occurrence taken place in the year 1997, the First Information Report was registered in the year 2017.

3. In the considered opinion of this Court, mere delay in registering or filing of a complaint cannot be a reason to quash the First Information Report at the threshold, especially when the allegations are serious in nature. There are prima facie materials in the First Information Report and it is not a fit case to quash the same in view of the law laid down by the Hon'ble Supreme court in **State of Harayana vs. Bhajan Lal and Ors.** reported in **1992 SC 604.**



4. In the result, the criminal original petition is dismissed. However, the respondent police are directed to expeditiously conduct the investigation in this case. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Insepctor of Police,
Kuruvikulam Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Palanivelayutham Advocate in SR. No.61489
JIKR
JS/SV.MMS/SAR.1/30.06.2017/2P-4C

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