

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2018

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.11327 of 2018  
and  
Crl.M.P.No.5859 of 2018

Baskar

... Petitioner

Vs.

1.State by  
Inspector of Police,  
M-1 Madhavaram Police Station,  
Madhavaram,  
Chennai  
Crime No.1774 of 2017.

2.D.Sekar

.... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the records in Crime No.1774 of 2017 on the file of M-1, Madhavaram Police Station, Madhavaram, Chennai.

For Petitioner : Mr.G.Dakshinamurthy

For Respondents : Mr.C.Raghavan  
Government Advocate (Crl.Side)  
for R.1

O R D E R

This criminal original petition has been filed to call for the records in Crime No.1774 of 2017 on the file of M-1, Madhavaram Police Station, Madhavaram, Chennai.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent.

3. On the complaint lodged by one Sekar, the second respondent, the first respondent police have registered First Information Report in F.I.R. No.1774 of 2017 on 08.11.2017 under Sections 465, 468, 471, 419, 420 and 120-B I.P.C. against Basker (A.1), Sathish @ Chandrakumar (A.2), Sanjay @ Sanjithkumar (A.3), Selvam (A.4), Maragatham (A.5) and others. Challenging the said First Information Report, Basker (A.1), the petitioner

is before this Court.

4. On a reading of the First Information Report, it is alleged by the de facto complainant that the property situated at Survey No.441/2A measuring an extent of 24 cents is in the name of one Jayammal and 21 cents is in the name of one Damodaran, who are his parents. It is further alleged by the de facto complainant that one Sathish @ Chandrakumar had created powers of attorney as if the said Jayammal and Damodaran had given power to deal with the said property. It is admitted by the de facto complainant that when he approached the accused, they have cancelled the Powers of Attorney. However, the First Information Report has been registered against the accused, as if they had executed bogus Powers of Attorney and the same have been registered by cheating the Registrar's office.

5. It is the case of the petitioner that he was not involved in the creation of the bogus Powers of Attorney and that he has been falsely implicated in the said case.

6. In the considered opinion of this Court, when there are prima facie materials against the petitioner in the F.I.R., the same cannot be quashed at the threshold. However, the first respondent police is directed to expeditiously complete the investigation in Cr.No.1774 of 2017 within a period of six months from the date of receipt of a copy of this order. If it is found that the petitioner is not involved in the impersonation, it is needless to state that the prosecution against the petitioner should be dropped.

7. With the above observation, the Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

cla

To

1. The Inspector of Police,  
M-1 Madhavaram Police Station,  
Madhavaram,  
Chennai.  
Crime No.1774 of 2017.

2.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.G.DAKSHINAMURTHY, Advocate, S.R.No. 27807

CrI.O.P.No.11327 of 2018

PPA (CO)  
TR(28/04/2018)



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