

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 01.11.2018
CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.25590 of 2018
and CRL.M.P.No.14621 of 2018

Nandhini Ravi

.. Petitioner(Accused)

Vs

1.State of Tamil Nadu Rep. by,
The Inspector of Police,
C.B.C.I.D. Metro Wing,
Egmore, Chennai 600 008. ...1st Respondent (Complainant)

2.R.Santhanalakshmi .. Respondent/(Defacto complainant)

Criminal Original Petition filed under Section 482
of Cr.P.C., praying to call for the records comprised in
the proceedings of FIR No.13 of 2017 dated 01.12.2017 on
the file of the 1st respondent and quash the same.

For Petitioner : Mr.T.T.Ravichandran
For Respondents : Mrs.M.Prabavathi, APP

O R D E R

On the directions of this Court, the CBCID have
registered a case in Crime No.13 of 2017 on 01.12.2017, on
the complaint lodged by Santhanalakshmi for the offences
under Section 465, 468, 471, 420, 506(i) and 120B IPC
against Nandhini (A1) and two others, for quashing which,
A1 is before this Court.

2.Heard Mr.T.T.Ravichandran, learned counsel for
the petitioner/ accused and the learned Additional Public
Prosecutor.

3.On a reading of the FIR, it is alleged that the
de facto complainant had two sons by name Raja Edvin and
Ravi Edvin. Ravi Edvin died in a motor accident in India
and MCOP.No.1266 of 2010 was filed claiming compensation.
It is alleged that the accused had forged the signature of
the de facto complainant in the MCOP petition filed before
the Tribunal. Hence, the complaint and the FIR.

4.Mr.Ravichandran contended that the de facto complainant herself has died and that, the compensation amount is still lying in the Bank and has not been withdrawn.

5.However, learned Additional Public Prosecutor submitted that the accused filed original MCOP petition in the name of the de facto complainant by forging her signature and that, the handwriting experts' report shows that the purported signature in the MCOP petition is not that of the de facto complainant. Thus, when there are prima facie materials for a full fledged investigation to proceed, the FIR cannot be quashed at the threshold, in the light of the law laid down by the Supreme Court in State of Haryana Vs Bhajan Lal (1992 Supp [1] SCC 335).

With the above observation this petition is closed. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar(Co)

//True Copy//

Sub Assistant Registrar

dua/gya
To

1.The Inspector of Police,
C.B.C.I.D. Metro Wing,
Egmore, Chennai 600 008.

2.The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

CRL.OP.No.25590 of 2018

ASK(27/11/2018)

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