

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.29159 of 2018

and

CRL.M.P.No.17065 of 2018

Muthukumarasamy

... Petitioner

-vs-

1.State: Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur.

2.Murugesan

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code to call for the records in Crime No.320 of 2018 pending on the file of the 1st respondent and quash the same.

For Petitioner : Mr.K.S.Kaviarasu

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed seeking to quash the FIR in Crime No.320 of 2018 pending on the file of the 1st respondent police.

2. This petition has shown as A1. An FIR has been registered for an offence under Sections 147, 148, 426, 506(2) of IPC.

3. The learned counsel for the petitioner would submit that this petitioner filed a suit in O.S.No.75/2014 against the defacto complainant and others for the relief of declaration and permanent injunction and the defacto complainant has also filed a suit against the petitioner in O.S.No.298 of 2014, seeking for the relief of declaration of title and possession and also for declaration to declare the sale deed registered in favour of the petitioner and others as null and void.

4. The learned counsel for the petitioner would submit that the dispute which is purely civil in nature has been given a criminal colour and the defacto complainant with an intention to illegally trespass into the properties, has given a false complaint against this petitioner.

5. The learned Additional Public Prosecutor would submit that the investigation is almost completed and an appropriate report will be filed within a short time. This Court is not inclined to interfere with the investigation at this stage.

6. This Criminal Original Petition is disposed of with a direction to the respondent police to complete the investigation and file a final report or a closure report, as the case may be, within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ssr/kal

To

1.The Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur.

2.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.29159 of 2018
and

CRL.M.P.No.17065 of 2018

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