



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2018

WEB COPY

CORAM :
THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

CRL.OP(MD)No.21538 of 2013
and
M.P.(MD)Nos.2 and 3 of 2013

1.Lakshmi
2.N.Krishnan
3.Seethalakshmi
4.K.Pitchiammal

... Petitioners

Vs.

1.State Rep. by
The Inspector of Police,
Moolakaraipatti Police Station,
Tirunelveli District,
(Crime No.60 of 2013)

2.Ramesh

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to the case in Crime No.60 of 2013 on the file of the Inspector of Police, Moolakkaraipatti, Tirunelveli District and quash the same.

For Petitioners : Mr.S.R.Anbarasu

For 1st Respondent : Mr.A.Robinson
Government Advocate (Crl.side)

For 2nd Respondent : Mr.V.Pandian

ORDER

The second respondent herein is the defacto complainant. This Court went through the contents of the First Information Report. It has been mentioned that the property belongs to the family of the defacto complainant and that by false documents title has been sought to be conveyed by one Senthurammal. It is further seen that the said Senthurammal executed a sale deed in respect of the property in question on 26.11.1982. The sale deed was executed in



favour of Natarajan who is the husband of the first petitioner and father of the other petitioners. The said Natarajan is no more.

2. The cause of action admittedly, dates back to the year 1982. The First Information Report was lodged 31 years later. The F.I.R has been lodged against the legal heirs of the purchaser under the sale deed. Therefore, the registration of FIR itself is quashed, since no offence is made out.

3. Accordingly, the criminal original petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Crl. Side)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Moolakkaraipatti,
Tirunelveli District.

2. The Additional Public Procedure,
Madurai Bench of Madras High Court,
Madurai.

+cc to Mr. S.R. Anbarasu, Advocate, SR.NO. 61754.

CRL.OP (MD) No. 21538 of 2013

and

M.P. (MD) Nos. 2 and 3 of 2013
17.04.2018.

RMI

PS/RSK/SAR 2/11.05.2018/2P/4C



WEB COPY