

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.11.2019
CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1701 of 2015 and
Crl.M.P.No.1 of 2015

V.Paramasivam

... Petitioner

Versus

1.The State Rep. by,
Special Sub-Inspector of Police,
District Crime Investigation Division,
Villupuram District, Villupuram.
(Crime No.65 of 2011).

2.John Kennedy Peter, Teacher,
Municipality School of Villupuram,
Beema Naicken Groove,
Villupuram & District.

3.G.Lourdhu Xaviour

.... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records relating to the impugned FIR in Crime No.65 of 2011 dated 11.07.2011 on the file of the 1st respondent Police and quash the same.

For Petitioner : M/s.Dalit Tiger C.Ponnusamy
For R1 : Mr.M.Prabhavathy
Additional Public Prosecutor

For R2 : Mr.J.James

For R3 : No representation

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ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.65 of 2011, pending on the file of the 1st respondent.

2.The case is that the petitioner sold his property to an extent of 1800 sq.ft in Survey No.50/2-1, New Survey No.50//2-1A & 50/2-1B through a registered sale deed in document No.1108/2002 to one Ironimose, who is the wife of the 3rd respondent. Out of 1800 sq.ft of land sold to the 3rd respondent's wife, only 900 sq.ft of land is available for her possession and enjoyment. As the land to an extent of 900

sq.ft, has been taken over by the Housing Board. Hence, the 3rd respondent lodged a complaint before the 1st respondent, who on receipt of the same, registered a case in Crime No.65 of 2011 for the offence under Sections 420, 465, 467, 468 & 471 of IPC.

3.The learned Additional Public Prosecutor appearing for the 1st respondent submitted that after completion of the investigation in Crime No.65 of 2011, the 1st respondent filed the charge sheet before the learned Judicial Magistrate No.I, Villupuram, which was returned for the reason that the charge is to be filed before the Special Court for Land Grabbing Cases, Villupuram. It is now represented that the Special Court for Land Grabbing Cases, Villupuram is abolished and the charge sheet would be resubmitted to the learned Judicial Magistrate No.I, Villupuram in due course of time.

4.In view of the fact that the 1st respondent has already completed the investigation in Crime No.196 of 2015, this Court is not inclined to interfere with the investigation at this stage.

5.Hence, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The Special Sub-Inspector of Police,
District Crime Investigation Division,
Villupuram District, Villupuram.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Dalit Tiger , Advocate SR.No. 100000

CRL.O.P.No.1701 of 2015

A.SK(24/01/2020)