

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.02.2019

CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4908 of 2019
and Crl.M.P.No.2874 of 2019

Shantha Krishnan, ...Petitioner/1st Accused
Vs.

1.The Inspector of Police,
Central Crime Branch Team-II
Chennai.

2.R.D.Rajasekar. ... Respondents/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to the F.I.R. In Crime No.151 of 2018 pending on the file of the Central Crime Branch Team-II, Chennai and quash the same as against the petitioner/1st accused.

For Petitioner : Mr.N.V.Prakash

For Respondent No.1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to quash the F.I.R.No.151 of 2018 pending on the file of the Central Crime Branch Team-II, Chennai, as against the petitioner/1st accused.

2.The petitioner is arrayed as an accused in Crime No.151 of 2018 for the offence under Sections 420, 465, 468 & 471 of IPC, based on the complaint given by the 2nd respondent. The allegation as against the petitioner is that the petitioner fabricated the documents and sold the property of the 2nd respondent by way of registered sale deed to a third party.

3.The learned counsel for the petitioner submits that the petitioner is the original owner of the land by way of registered sale deed dated 10.07.1987 and also obtained Sub-Division patta. Thereafter, he sold the above said land to one Mr.T.Jagannathan & J.Priya by way of registered sale deed and also mutated their name in the revenue records and also obtained patta in their name. The 2nd respondent allegedly claiming that he is the owner of the above said land on the strength of fabricated document and started disturbing the

petitioner's successors in title. Therefore, a complaint was lodged by the said Jagannathan and Priya against the 2nd respondent and also filed civil suit in O.S.No128 of 2017, which is still pending. Hence, the petitioner seeks to quash the F.I.R. in Crime No.151 of 2018.

4.Heard Mr.N.V.Prakash, learned counsel appearing for the petitioner and Mr.Mohamed Riyaz, learned Additional Public Prosecutor for the 1st respondent Police.

5.On perusal of the complaint, it is seen that there are specific allegations as against the petitioner. Hence, this Court does not find any merits to quash the F.I.R. Accordingly, this Criminal Original Petition is dismissed. However, considering the nature of allegation, the 1st respondent is directed to conduct an enquiry with all the parties concern and the counter part and file a final report within a period of three months from the date of receipt of copy of this order. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

rm

To

1.The Inspector of Police,
Central Crime Branch Team-II
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Govindaraju, Advocate, S.R.No.18461

CrI.O.P.No.4908 of 2019
and CrI.M.P.No.2874 of 2019

AK (CO)

RRS (24/04/2019)

WEB COPY