

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
Dated : 28.02.2019

Coram  
THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5333 of 2019  
and Crl.M.P.No.3066 of 2019

1. Charles Joseph  
2. John Mehool ... Petitioners/ Accused Nos.1 & 2

Vs.

1. The State Rep. By  
Inspector of Police  
District Crime Branch,  
Kancheepuram. .... 1<sup>st</sup> Respondent / Complainant  
2. Joseph ... 2<sup>nd</sup> Respondent/Defacto Complainant

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.43 of 2016 on the file of the Inspector of Police, District Crime Branch, Kancheepuram and quash the same.

For Petitioners : Mr.S.Suresh

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

ORDER

This Criminal Original Petition has been filed to call for the records in Crime No.43 of 2016 on the file of the Inspector of Police, District Crime Branch, Kancheepuram and quash the same.

2.The petitioners submit that the second respondent/defacto complainant is the Secretary of the Kings Engineering College M/s.Chartian Educational and Health Trust, Kodambakkam, Chennai - 24. The said trust was formed by the first petitioner along with his family members in the year 1998 and there was no outside members in the trust. The first petitioner could run the Trust for hardly 3 years and thereafter, due to some financial problems, he handed over the Trust to the other party. Further, the petitioners submit that it is an admitted and known fact to the defacto complainant that out of 14 acres of land which stands in the name of M/s.Chariton Educational and Health Trust, 32 cent in Survey No.44/14, Irungattukottai Village, Sriperumbadur Taluk, Kancheepuram District, was sold to the

second petitioner by the first petitioner and the same was registered as Document No.3574/2004 at the Sub Registrar Office, Sriperumbadur, in favour of the second petitioner. However, the second respondent has lodged a complaint as against the petitioners and therefore, this Writ Petition is filed.

3. Considering the above facts and circumstances of the case, the petitioners are directed to appear before the first respondent and submit all the documents as contended here. The first respondent is directed to consider those documents produced by the petitioners and complete the enquiry and file a final report in Crime.No.43 of 2016, within a period of two months from the date of receipt of a copy of this order, after conducting due enquiry with the defacto complainant.

4. With the above directions, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

raja

To

1.The Sub Registrar Office,  
Sriperumbadur.

2.The Inspector of Police  
District Crime Branch,  
Kancheepuram.

3.The Public Prosecutor  
High Court, Madras.

+1cc to Mr.S.Suresh, Advocate, S.R.No.19010

Cr1.O.P.No.5333 of 2019

and

Cr1.M.P.No.3066 of 2019

KK(CO)

rrs 19/03/2019

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