

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.27205 of 2019

S.Suresh

...Petitioner

Vs.

The Inspector of Police,
Anti Land Grabbing Special Cell,
District Crime Branch,
Tiruppur 641 604.
(Crime No.32 of 2013)

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to pass a direction as against the respondent/ Inspector of Police, Anti Land Grabbing Special Cell, District Crime Branch, Tiruppur to withdraw his letter dated 12.01.2014 addressed to the Sub Registrar, Palladam wherein the respondent had requested the Sub Registrar, Palladam not to encumbrance the Schedule Mentioned Property as per the directions of this Court in Crl.O.P.No.27118 of 2013, dated 19.11.2013, until further orders from this Court, based on which the Sub Registrar, Palladam had refused to release the Sale Deed dated 20.03.2019, executed in favour of this petitioner, which is kept as pending in document No.P16 of 2019, on the file of the SRO, Palladam, Tiruppur District.

For Petitioner

: Mr.M.Aravind Subramaniam

For Respondent

: Mr.C.Iyyapparaj

ORDER

This Criminal Original Petition has been filed seeking to pass a direction as against the respondent/ Inspector of Police, Anti Land Grabbing Special Cell, District Crime Branch, Tiruppur to withdraw his letter dated 12.01.2014 addressed to the Sub Registrar, Palladam wherein the respondent had requested the Sub Registrar, Palladam not to encumbrance the Schedule Mentioned Property as per the directions of this Court in Crl.O.P.No.27118 of 2013, dated 19.11.2013, until further orders from this Court, based on which the Sub Registrar, Palladam had refused to release the Sale Deed dated 20.03.2019, executed in favour of this petitioner, which is kept as pending in document No.P16 of 2019, on the file of the SRO, Palladam, Tiruppur District.

2. In view of the pendency of the Criminal case in Crime No.32 of 2013 on the file of the respondent herein, the respondent herein had issued a letter dated 12.01.2014, requesting the Sub Registrar, Palladam, Tiruppur District to refrain from creating any encumbrance over the property in Survey No. 273 in Karaipudur Village, Palladam Taluk, Tiruppur District measuring 3.52 acres out of total extent of 11.09 acres.

3. Today, when the matter was called, the learned Additional Public Prosecutor submitted, on the basis or written instructions, that the Sub Registrar, Palladam Taluk, Tiruppur District has been instructed by the respondent police to the effect that the investigation in Crime No.32 of 2013 was quashed by this Court by order dated 17.10.2014 passed in Crl.O.P.No.4550 of 2014.

4. Since the very purpose for which the Sub Registrar, Palladam Taluk, Tiruppur District was requested to refrain from creating any encumbrance over the property was the pendency of the investigation in Crime No.32 of 2013 and now that the First Information Report itself has been quashed and the said order has also been confirmed by the Hon'ble Supreme Court in Special Leave to Appeal (Crl) No.313 of 2015, there cannot be any further interference by the respondent police.

5. With the above observations, the Criminal Original Petition stands closed.

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Index: Yes/No

Internet: Yes/No

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Note Issue order copy on 17.10.2019

M.S.RAMESH,J.

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To

- 1.The Inspector of Police,
Anti Land Grabbing Special Cell,
District Crime Branch,
Tiruppur 641 604
2. The Additional Public Prosecutor,
High Court of Madras.



Crl.O.P.No.27205 of 2019

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