

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2019

CORAM:

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

CRL.O.P.No. 18961 of 2017 and

CRL.M.P.No.11506 of 2017

P. Ruthiramurthy

... Petitioner

Vs.

1.The State rep. by  
Inspector of Police,  
D-2, Chengalpet Taluk Police Station,  
Chengalpet,  
(Crime No.948 of 2018)

2. Village Administrative Officer,  
Chengalpet Taluk,  
Kancheepuram District.

... Respondent

PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C., to call for the records relating to the Crime No.948 of 2013 pending on the file of the respondent police and quash the same.

For Petitioner : Mr.R. Sreedhar

For Respondents: Mr. M. Mohamed Riyaz

(Addl. Public Prosecutor)

सत्यमेव जयते

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in Crime No.948 of 2013 thereby having been taken cognizance for the offences under Sections 447, 420 of I.P.C respectively as against the petitioner.

2. The learned counsel for the petitioner would submit that the petitioner has arrayed as Second accused for possessing and enjoying the Government land to an extent of 3 acres and 50 cents situated in R.S.No.96/20 at Aalapakkam Village, Chengalpet Taluk, Kancheepuram District. It has been further stated that

the said property was sold by a sales deed dated 27.04.1998 to M/s. Three Deens Aquaculture Pvt. Ltd. and the same was executed to and in favour of the petitioner's father by a general Power of attorney. Without considering sale deed and power of attorney, the respondent police has registered the case in Crime No.948 of 2013 for the offences under Sections 447, 420 of IPC against the petitioner. Hence, he prayed to quash the same.

3.The learned Additional Public Prosecutor would submit that according to the second respondent, the said property in Survey no.96/20 is belong to the Government as per the revenue records. The respondent will dispose of the said complaint after enquiry on both sides. Therefore, he prayed to dismiss this petition.

4. Heard Mr.R. Sreedhar, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondents.

5. In view of the above discussion, the petitioner is directed to produce all the records during the enquiry and on receipt of the same, the respondent police is directed to consider and complete the enquiry in Crime No.948 of 2013 within a period of two weeks from the date of receipt of copy of this order.

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

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

Sub Assistant Registrar

lbm

To:

1.The State rep. by  
Inspector of Police,  
D-2, Chengalpet Taluk Police Station,  
Chengalpet, e Station, Thiruvaur District.

2.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr. R.Sreedhar, Advocate, S.R.No. 24408

CRL.O.P.No. 18961 of 2017 and  
CRL.M.P.No.11506 of 2017

SV(CO)  
GN(26/04/2019)