



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.11.2019
CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.26524 of 2014 and
Crl.M.P.No.1 of 2014

1.Vajiram
2.Ajith Prasad Jain
3.Loganathan

... Petitioners

Versus

1.The State Rep. by,
Inspector of Police,
District Crime Branch,
(Anti Land Grabbing Special Cell),
Kanchipuram District.
Crime No.14 of 2014.

2.S.V.Subramani

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the Crime No.14 of 2014 on the file of the District Crime Branch, Kancheepuram District and quash the same by allowing this Criminal Original Petition.

For Petitioner : M/s.M.Guruprasad

For R1 : M/s.M.Prabhavathy,
Additional Public Prosecutor

For R2 : Mr.K.G.Senthil Kumar

ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.14 of 2014 on the file of the 1st respondent.

2.Based on the complaint of the 2nd respondent, a case in Crime No.14 of 2014 has been registered for the offence under Sections 420, 465, 468, 471 r/w 34 of IPC against the petitioners.



3.The learned counsel for the petitioners submitted that the allegations in the complaint does not constitute the offence of forgery and fabrication of the documents. The 1st and 2nd petitioners are the original owners of the property, had cancelled the power of attorney given to one Kanagasabapathy and the same was also intimated to him by letter dated 01.02.2002. Thereafter, the said Kanagasabathy on 16.02.2002 had created encumbrances in respect of the property of the petitioners. Further, the said Kanagasabathy had no authority to sell the property on 16.02.2002. Thereafter, one subsequent purchaser had filed a suit in O.S.No.164 of 2013 before the Subordinate Judge, Kacheepuram, seeking declaration of sale deed in Document No.352 of 2002 dated 16.02.2002 and document No.2112 of 2013, dated 08.04.2012 as null and void and the 2nd respondent is a party to the suit. Further, a civil dispute is given a criminal colour.

4.The learned Additional Public Prosecutor appearing for the 1st respondent filed a status report and submitted that during the investigation, the 2nd respondent has given a letter dated 29.12.2018 stating that he is withdrawing the complaint in Crime No.14 of 2014 as the parties have agreed for out of Court settlement. Hence, the 1st respondent closed the Crime No.14 of 2014 as further action dropped and the copy was served on the 2nd respondent in R.C.S.No.19 of 2018.

5.In view of the compromise arrived between the parties, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vv2

To

1.The Inspector of Police,
District Crime Branch,
(Anti Land Grabbing Special Cell),
Kanchipuram District.

2/3



2.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.M.Guruprasad, Advocate sr.98536

CRL.O.P.No.26524 of 2014

sj(co)
nr 20/01/2020