



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2019

CORAM

THE HONOURABLE MR. JUSTICE B. PUGALENDHI

Crl.O.P. (MD) No.1729 of 2016

and

Crl.M.P. (MD) No.892 of 2016

1.Sudha Reddy

2.Venku Reddy

... Petitioners/Accused Nos.1 and 2
Vs.

State by:

1.The Inspector of Police,
Sindhupatti Police Station,
Thirumangalam,
Madurai District.

... 1st Respondent/Complainant

2.T.Subha

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records in connection with Crime No.248 of 2015 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.S.Sukumar

For R1

: Mr.A.Robinson

Government Advocate (Crl. Side)

For R2

: No appearance

O R D E R

The petitioner has filed this petition to quash the FIR in Crime No.248 of 2015, pending on the file of the first respondent as against the petitioners.

2.The case of the prosecution is that the case in Crime No.248 of 2015, was registered pursuant to the complaint, dated 09.12.2015, by the second respondent to the first respondent. On receipt of the complaint, the first respondent had registered a case for the offence punishable under Sections 406, 420, 468, 294(b) and 506(i) I.P.C., in Crime No.248 of 2015. The petitioners have created a document with regard to the property of the Father-In-Law of the second respondent and when the second respondent enquired the same to the petitioners' office, she was abused and criminally intimidated.

3.The learned counsel for the petitioners submitted that the first petitioner purchased the property from one Balakrishnan, by way of registered sale deed, dated 25.07.2007 and the patta stands in the name of petitioners. During that relevant point of time, the second respondent and her husband were living together and they were also aware of the transaction in the year 2007. Since the market price of the land had hiked, the second respondent made a false complaint against the petitioners as the petitioners had abused and



criminally intimidated her.

4. The learned Government Advocate (Crl. Side) on instructions submitted that this Court by an order dated 01.02.2016, granted an order of interim stay and therefore, the first respondent has not proceeded further with the investigation.

5. This Court is of the considered view that there is no specific date on which the petitioners have abused and criminally intimidated the de-facto complainant and also the complaint discloses of forgery documents. However, the learned counsel for the petitioners disputed that the real owner of the property is the Father-In-Law of the de-facto complainant viz., Balakrishnan, and these are disputed in view of the of hike in the market price of the land.

6. This Court is of the considered view that this complaint is in the stage of investigation. It is open to the petitioners to produce the relevant documents before the Investigating Officer enabling the Investigating Officer to concluded the investigation in Crime No.268 of 2015.

7. This Criminal Original Petition is disposed of with a direction to the first respondent to conduct the investigation in a open mind by verifying the documents, if any produced by the petitioners and complete the investigation in the manner known to law within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To:

1. The Inspector of Police,
Sindhupatti Police Station,
Thirumangalam,
Madurai District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Sukumar, Advocate, SR.No.48510

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