

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

CRL.O.P.NO.21468 OF 2014

AND

M.P.NO.1 OF 2014

1.C.Subramani
2.Kanagavalli
3.S.Sivaprakasam
4.S.Mohan
5.Shanthi
6.R.Swaminathan
7.J.Rajendran

...Petitioners

Vs

1.State Represented by
The Inspector of Police
M3, Puzhal Police Station
Puzhal, Chennai-600 066
(Crime No.1236 of 2012)

2.P.Subramani
3.R.Sesachalam
4.G.Sundharamurthy
5.G.Saravanan
6.S.Varatharajan

..Respondents

Prayer: Crl.O.P., filed under Section 482 of Cr.P.C., praying to call for records and quash the FIR in Crime No.1236 of 2012 on the file of 1st respondent.

For Petitioners : Mr.Sai Bharath

For Respondents : Mr.R.Ravichandran,
Govt.Advocate for R1

ORDER

The 1st respondent registered a case against the petitioners in Crime No.1236 of 2012 on the file of M3 Puzhal Police Station, Puzhal, Chennai. During the investigation, the accused 1 to 7 filed the present petition to quash the FIR.

2. The learned counsel for the petitioners would submit that the 1st petitioner already died and there is a civil dispute between the parties and all the revenue records stands in the name of the petitioners. Suit also filed and the suit is also pending and the dispute is of civil in nature.

3. The learned Government Advocate would submit that since stay has been granted at the time of admission of this CrI.O.P., investigation has not been commenced.

4. Heard and perused the records.

5. On reading of the records, it is seen that allegation against these petitioners has nothing to do with the suit as claimed by the learned counsel for the petitioners. Therefore, investigation only will reveal as to whether the prima facie allegations levelled against the petitioners in the complaint are true or false. Therefore, in these circumstances, this court is not inclined to quash the complaint by invoking Section 482 Cr.P.C. Accordingly, the Criminal Original Petition is dismissed. Since the matter is pending for investigation from 2012, the 1st respondent police is directed to investigate the matter and file charge sheet within a period of four 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

nvsri

To

1. The Inspector of Police
M3, Puzhal Police Station
Puzhal, Chennai-600 066
(Crime No.1236 of 2012)
2. The Section Officer, Criminal Section,
High Court, Madras.

+1cc to Mr.Sai Bharath, Advocate, S.R.No.11030

CrI.O.P.No.21468 of 2014

GP(CO)
CS/12/02/2020