

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07-02-2020

Coram :

THE HONOURABLE Mr.JUSTICE P.VELMURUGAN

Crl.O.P.No.16040 of 2014

Mr.P.Shanmugam

... Petitioner/Accused No.1

Vs.

1.The State, represented by
Inspector of Police,
CCB, Anti Land Grabbing Special Cell,
Salem District.
(Crime No.26 of 2013).

2.S.Shanmughasundaram,
S/o.K.Subramaniam. ... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, pleaded to call for the records in F.I.R. Crime No.26 of 2013 on the file of Inspector of Police, CCB, Anti Land Grabbing Special Cell, Salem District, the respondent herein and quash the same as illegal.

For Petitioners : Mr.R.Sankarasubbu.

For respondents : Mr.R.Ravichandran for R1
Government Advocate(Crl.side)

No appearance for R2.

O R D E R

The 1st respondent Police registered a case in Crime No.26 of 2013 as against the petitioner and three others based on the complaint given by the second respondent. During investigation, the petitioner/A1 has filed the present petition invoking Section 482 Cr.P.C., to quash the F.I.R., in Crime No.26 of 2013, on the ground that there are no ingredients to make out the offence under Section 420 IPC.

2.The learned counsel for the petitioner would submit that it is a genuine transaction and no forgery. There is also no conspiracy and there are no ingredients to make out the offence under Section 120-B, 420, 465, 468, 471 and 506(i) IPC. Therefore, the F.I.R. is liable to be quashed.

3.The learned Government Advocate (Crl.side) would submit that there are specific allegations as against this petitioner and four others. Therefore, the petition is liable to be dismissed.

4.Heard both sides and perused the records.

5.On a perusal of records, prima facie, there are allegations in the complaint as against this petitioner and four other persons. Only during the investigation, it would reveal that whether all the petitioners conspired together and forged the documents or not. Therefore, at this stage, this Court is not inclined to exercise its power under Section 482 Cr.P.C.

6.Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

1.The Inspector of Police,
CCB, Anti Land Grabbing Special Cell,
Salem District.
(Crime No.26 of 2013).

2.The public Prosecutor
High court Madras

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