



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 17.12.2020

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THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI**

Crl.OP(MD)No.14764 of 2017

and

Crl.MP(MD)No.9831 of 2017

WEB COPY

Paul @ Velayutha Nadar

: Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
CBCID,
Palayamkottai,
Tirunelveli District.

3.The Inspector of Police,
V.K. Pudur Police Station,
Tirunelveli District.
(Crime No.245 of 2017)

: Respondents

Prayer: Criminal Original Petition filed under section 482 of the Criminal Procedure Code, directing the 1st respondent to withdraw the case in Crime No.245 of 2017 on file of the 3rd respondent and entrust the same to the 2nd respondent for investigation of the case by a Competent Officer and file a final report before the jurisdictional Magistrate within the time stipulated by this court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.K.Karmegam
Government Advocate
(Criminal side)

O R D E R

(Thro' VC)

This criminal original petition is filed to direct the 1st respondent to withdraw the case in Crime No.245 of 2017 on file of the 3rd respondent and entrust the same to the 2nd respondent for investigation of the case by a Competent Officer and file a final report before the jurisdictional Magistrate within a time frame



fixed by this court.

2. According to the de-facto complainant, A1 had executed a forged sale deed in favour of his son, who is A2 in respect of the petitioner's property and after registration of the forged sale deed, had also obtained patta transfer for the same. A3 is the Sub Registrar of Uthumalai Sub Registrar Office, who only registered the forged sale deed. A4 is the Village Administrative Office, who gave false report as A1 is the owner of the property in dispute. A5 is the Deputy Tahsildar and A6 to A8 are the 4 witnesses of the forged sale deed.

3. When the matter is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the respondents submitted that after investigation, the case in Crime No.245 of 2017 has been closed by the 3rd respondent as "Mistake of Fact" on 10.10.2017.

4. The said fact is not disputed by the learned counsel appearing for the petitioner.

5. Recording the above, this court is of the view that there is no need to keep this petition pending and accordingly, this criminal original petition is dismissed as infructuous. Consequently, connected Miscellaneous Petition is closed. The petitioner is at liberty to work his remedy before appropriate forum in the manner known to law.

Sd/-

Assistant Registrar(CS-III)

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/ /2021

Sub Assistant Registrar(CS)

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To,

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Tirunelveli District.

2. The Inspector of Police,
CBCID, Palayamkottai,
Tirunelveli District.



3.The Inspector of Police,
V.K. Pudur Police Station,
Tirunelveli District.

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

CrI.OP(MD)No.14764 of 2017
17.12.2020

TR(05.02.2021) 3P 5C