



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

Cr1.O.P.No.26463 of 2015

J.Vijayaranga

.. Petitioner/Accused-3

Vs.

1. State rep.by Inspector of Police
Central Crime Branch
XXII Team,
Thousand Lights,
Chennai - 600 006.
(Crime No.341/2008)

2. K.V.V.Krishnam Raju
Power Agent of B.Suryanarayana Raj

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the Crime No.341 of 2008 on the file of Inspector of Police, XXII Team, Central Crime Branch, Thousand Lights, Chennai - 600 006, so far as the petitioner / accused -3 and quash the same as illegal, unlawful and abuse of process of law.

For Petitioner	.. M/s.Nathan and Associates
For R1	.. E.Raj Thilak
	Govt. Advocate (Cr1. Side)

ORDER

Heard the learned counsel for the petitioner. The petitioner is the 3rd accused in Crime No.341 of 2008 now pending on the file of the Inspector of Police, Central Crime Branch, XXII Team, Thousand Lights, Chennai - 600 006.

2.The said complaint came to be lodged by the 2nd respondent and consequent to such complaint, a First Information Report in Crime No.341 of 2008 had been registered for the alleged offences under Sections 465, 467, 468, 471, 420 and 120 B of I.P.C.



3.The petitioner claimed that he was the Power Agent of one D.Kulasekaran and his wife Rukmani Devi, who were shown as A1 and A2 in the said First Information Report. The petitioner herein was authorized to sell the property which was situated at Survey No.38/2 (Part) at No.144, Seevaram Village, Perungudi, Chennai, to any purchaser. The petitioner herein, thereafter, as a Power of Attorney Agent sold the property in favour of M/s.Chennai Garr Tech Ltd., by Sale Deed dated 14.03.2006 and the said company had been arrayed as 4th accused.

4.It had been stated that with respect to the very same property a suit in O.S.No.251 of 2006 is now pending on the file of the District Court, Chengalpet. The said FIR came up for scrutiny before a learned Single Judge of this Court on petition filed by the 4th accused in Crl.O.P.No.29523 of 2008 and by an order dated 25.11.2014, after hearing both sides, the learned Single Judge, had finally ordered as follows:-

"In the result, the criminal original petition is allowed and the FIR in Crime No.341 of 2008 on the file of the 1st respondent police is hereby quashed. Consequently, connected MP is closed."

5.It is seen that FIR in Crime No.341 of 2008 on the file of the 1st respondent had been quashed in entirety. Naturally, the benefit of the said order accrued to the petitioner also and therefore, it is reiterated that Crime No.341 of 2008 is quashed with respect to the present petitioner / A3 also.

6.With the above observations, the Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

smv

To

1. The Inspector of Police
Central Crime Branch,
XXII Team, Thousand Lights,
Chennai - 600 006.



2. The Public Prosecutor
High Court of Madras.

Copy to:

The Judicial Magistrate No.I,
Poonamallee.

Cr1.O.P.No.26463 of 2015

GP (CO)

K.RK. (18.10.2021)