



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17529 of 2021 and
Crl.M.P.No.9621 of 2021

E.Tamilarasan

... Petitioner

Vs.

1. The State,
Rep. by the Inspector of Police,
District Crime Branch Police Station,
Salem District,
Crime No.9 of 2018.

2. V.Kumaresan
3. Bakiyam
4. Mala

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the First Information Report in Crime No.9 of 2018 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.R.Chakkaravarthy
For R1 : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.9 of 2018, dated 02.06.2018, on the file of the 1st respondent Police.

2.The petitioner is the accused in Crime No.9 of 2020, for offence under Sections 420, 468 and 471 IPC.

3.The learned counsel for the petitioner submitted that the petitioner is not at all committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Further, there is no allegation or any material evidence against



the petitioner and the no ingredients of the offence alleged is made out. He further submitted that the petitioner's father late Ilayaperumal was giving trouble to the welfare and benefit of the villagers. After the demise of his father, some of the villagers had lodged a false complaint against the petitioner as though they had given money for getting patta.

4.The learned Additional Public Prosecutor appearing for the 1st respondent Police submitted that the petitioner cheated around 51 persons by receiving amount of Rs.30,000/- and above for getting patta by showing the government land. Totally, the petitioner had collected Rs.15,00,000/- from the victims and he handed over forged patta copies to the victims. On receipt of the same, the victims approached the revenue authorities and found that the petitioner committed forgery and cheated them. He further submitted that the investigation in this case completed and charge sheet would be filed shortly. Hence, he prayed for dismissal of the petition.

5.The submissions put forward by the learned counsel appearing on behalf of the petitioner are purely factual in nature and this Court cannot venture into conducting a mini investigation into the matter and it therefore does not fall within the ambit of its jurisdiction under Section 482 of Cr.P.C. Any finding on facts will also have a bearing on the investigation conducted by the respondent Police.

6.In the facts and circumstances of the case, this Court is not inclined to interfere with the investigation conducted by the respondent Police at this stage. In the result, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
District Crime Branch Police Station,
Salem District.



2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.17529 of 2021

SS (CO)

K.RK. (12.11.2021)