



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19255 of 2021

and

Crl.M.P.No.10543 of 2021

Sundararajan

.. 1st Accused/Petitioner

/versus/

1.The Inspector of Police,
District Crime Branch,
Villupuram.
Cr.No.22/2020

..Complainant/1st respondent

2.Ponnammal

..De-facto complainant/
2nd respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and First Information Report pending in Cr.No.22/2020 on the file of the Inspector of Police, District Crime Branch, Villupuram, the 1st respondent herein and quash the same.

For Petitioner : Mr.J.Antony Jesus

For Respondents : Mr.R.Vinothraja
Government Advocate(crl.side)
for R1

ORDER

The petitioner, who is the first accused in Crime No.22 of 2020 on the file of the first respondent-Police for the offences under Sections 420, 468, 471, 109, 506(2) of IPC, has filed this Criminal Original Petition to quash the criminal complaint.

2.The learned counsel appearing for the petitioner submitted that the second respondent/de-facto complainant had knowingly executed a sale deed to an extent of five cents in favour of the petitioner. Now, she made a complaint that she was mis-guided by the petitioner and her signature was obtained in the Registration Office for the purpose of joining the New Insurance Scheme and later, she came to know that it is the sale deed and the same was executed by the de-facto complainant in favour of the petitioner, the petitioner filed



a suit in O.S.No.13 of 2019 before the District Munsif Court, Villupuram for granting permanent injunction and another suit in O.S.No.29 of 2021 filed by the de-facto complainant and her adopted son Dhanasekaran before the Additional District Court, Villupuram for cancellation of the sale deed executed by the defacto complainant as null and void and delivery of possession. He further submitted that the out come of the civil suit would have a bearing on the investigation. Hence, he prayed to quash the criminal complaint.

3.The learned Government Advocate (crl.side) submitted that the petitioner was unable to give the details of the sale amount and the source of income particulars. The petitioner had misrepresented to the de-facto complainant and by deceptive manner, taken the defacto complainant to the Registration Office and created a forged document, taking advantage of the old age, illiteracy and innocence of the second respondent/de-facto complainant. Further, points have to be considered only during the investigation.

4.In view of the same, this Court is not inclined to entertain this petition. Hence, this Criminal Original Petition is dismissed. The 1st respondent is directed to conduct investigation and file a final report within a period of six months, from the date of receipt of this Court. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
District Crime Branch,
Villupuram.
Cr.No.22/2020

2.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.19255 of 2021
and
Crl.M.P.No.10543 of 2021

GPL (CO)

PR (27/12/2021)

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