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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.8089 of 2017
and Crl.M.P.No.5825 of 2017

H.Ghayazuylah

..Petitioner

Vs.

1.State by Inspector of Police
The Inspector of Police
Central Crime Branch,
Anti Land Grabbing Special Cell -II,
Chennai.
(Crime.No.34 of 2014)

2.Hasan ambalam

3.K.A.Shabu
(R3 is impleaded as per the order of this
Hon'ble Court dated 07.11.2017 made in
Crl.M.P.No.10198/2017 in Crl.O.P.No.8089/2017)

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records pertaining to the case registered in Cr.No.34 of 2014 on the file of the 1st Respondent herein and to quash the same.

For Petitioner : Mr.S.Madhusudanan

For Respondents : Mr.S.Vinoth Kumar

Government Advocate(Crl.side) for R1

Mr.S.A.Rajan for R2

ORDER

This criminal Original Petition has been filed to call for the records pertaining to the case registered in Cr.No.34 of 2014 on the file of the 1st Respondent herein and to quash the same.



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2.The crux of the allegation in the FIR indicate that the accused has committed forgery by creating false documents of the immovable properties of the defacto complainant.

3.It is the contention of the learned counsel for the petitioner that in the preliminary enquiry, the Tahsildar has given a certificate indicating that the survey number alleged by the Defacto Complainant is no way connected to the documents said to have been created by the accused. Therefore, he prayed to quash the proceedings against the petitioner.

4. Learned counsel for the defacto complainant submitted that the certificate issued by the Tahsildar is already set aside by the proceedings of RDO. Therefore, the FIR is in the preliminary stage and the same cannot be quashed at this stage.

5. Having regard to the seriousness of the allegation about the creation of false documents and forgery, this Court is of the view that it requires thorough investigation at this Stage, the same cannot be interfered while exercising the jurisdiction under Section 482 of Cr.P.C. Therefore, this criminal original petition has no legs to stand and the same is dismissed. Consequently, connected miscellaneous petitions are closed.

6.The Investigation Officer is directed to conclude the investigation and file the report within a period of 6 months from the date of receipt of a copy of this order.

s/d-

Assistant Registrar

//True Copy//

Sub-Assistant Registrar

nr/msv

To

1. The Inspector of Police
Central Crime Branch,
Anti Land Grabbing Special Cell -II,
Chennai.



2. The Public Prosecutor,
High Court, Madras.

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RGN(CO)
SP(13/12/2021)