



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.12.2021

Coram:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.4556 of 2017 &
Cr1.M.P.No.3419 of 2017

1. T.K.Ravindran
2. M.Dhanabal
3. I.Kirthi

...Petitioners

Vs

1. The State represented by its
Inspector of Police,
Anti Land Grabbing (Special Unit),
City Crime Branch,
Coimbatore City.
(Cr.No.38 of 2015)

2. The Commissioner,
Coimbatore Corporation,
Coimbatore City.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in Cr.No.38 of 2015 on the file of the 1st respondent insofar as these petitioners and quash the same.

For Petitioners : Mr.G.Krishnakumar

For Respondents : R1 - Mr.R.Kishore Kumar,
Government Advocate (Criminal Side)
R2 - No appearance

O R D E R

This petition has been filed to quash the F.I.R. in Cr.No.38 of 2015 on the file of the 1st respondent against the petitioners for the alleged offences under Sections 420, 467, 468, 471 & 419 of I.P.C.

2. It is pointed out by the learned counsel for the petitioners that the main allegation against A.1 and A.2 is the



alleged creation of documents. The only allegation in this petition is that A.2 has given the Power of Attorney in favour of A.3 and he has also cancelled the Power of Attorney even prior to the registration of First Information Report. Therefore, there is no allegation existing against the present petitioners and therefore, the same has to be quashed.

3. The crux of the allegation in the First Information Report indicate that A1 and A2 created false documents in respect of the property belonging to second respondent, Commissioner of Coimbatore, Government property and filed a suit and got decree in favour of A2. In pursuant to the same, A.2 said to have executed Power of Attorney in favour of these petitioners / A.3, A.4 and A.5, therefore, all these persons are arrayed as accused. However, the fact remains that Power of attorney said to have been executed in favour of A4 and A5 was already cancelled on 11.02.2015.

4. In such view of the matter, the investigation officer shall take into consideration of the above said matter and proceed investigation against the main accused and if at all anything required from these petitioners, the Investigating Officer can also make the petitioners as witness before the trial court in this matter.

5. Accordingly, this Criminal Original Petition is disposed of. The petitioners are directed to co-operate with the investigating officer and the investigating officer shall conduct investigation and file a final report as per law. Consequently, connected miscellaneous petition is closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

ssd / kbs

To

1. The Inspector of Police,
Anti Land Grabbing (Special Unit),
City Crime Branch,
Coimbatore City.



2. The Commissioner,
Coimbatore Corporation,
Coimbatore City.

3. The Public Prosecutor,
High Court, Madras.

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