

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2021

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRL. O.P. NO.7876 OF 2017

&

CRL.M.P.NO.5690 OF 2017

Tmt.J.Vijayalakshmi

... Petitioner/ Accused

Versus

State by
The Inspector of Police
Sholinghur Police Station
Sholinghur
Vellore District
(Crime No.481 of 2016)

... Respondent

PRAYER :

Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records and quash Crime No.481 of 2016 pending on the file of the Inspector of Police, Sholingur Police Station, Sholingur, Vellore District.

For Petitioners ... Mr.A.E.Ravichandran

For Respondent ... Mr.R.Kishore Kumar
Government Advocate (Crl.side)

O R D E R

This application has been filed to quash the First Information Report registered against the petitioner in Crime No.481 of 2016 for the offences under Sections 468, 471 and 417 IPC.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing on behalf of the respondent.

3. Though this application has been filed to quash the First information on the ground that FIR has been lodged at the behest of Sub Registrar, who refused to register the document and against whom a contempt petition has been filed by the petitioner herein, in a nutshell, it is the contention of the learned counsel for the petitioner that the Sub-Registrar in collusion with the then Tahsildar managed to get a statement and filed the FIR only as a counter blast to the contempt proceedings initiated by her. The crux of the allegation in the FIR indicates that petitioner appears to have forged the No Objection Certificate as if it has been issued by the Tahsildar, Arakkonam.

4. This Court perused the entire materials placed before this Court. This Court is of the view that whether the allegations in the First Information Report are true or not or whether the petitioner has been made to face the ordeal of prosecution due to the contempt proceedings initiated against the Sub-Registrar could be seen only during the investigation. Therefore, this Court directs the Investigation Officer to carry out the investigation and find out whether the No Objection Certificate which is stated to have been forged is really forged by the petitioner or any other person. The Investigating Officer shall collect all contemporary signature of the Tahsildar, who stated to have issued the NOC and subject them to the handwriting expert's examination with the disputed document and proceed with the investigation and file a report.

5. This Court, keeping in mind the various litigations pending and the contempt petition filed against the Sub-Registrar, directs the Investigation officer to ensure that no coercive steps is taken against the petitioner.

With the above direction, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gpa

To

1. The Inspector of Police
Sholingur Police Station,
Sholingur, Vellore District
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.E.Ravichandran, Advocate, S.R.No.65107

Crl. O.P. No.7876 of 2017 &
Crl.M.P.No.5690 of 2017

RGN(CO)
PM/05/01/2022