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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 15.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.12488 of 2017

V.A.Kuppsamy

...Petitioner

Versus

1.State Represented By,
Sub Inspector of Police,
District Crime Brach,
Salem District.

2.K.Sangottaiyan

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in connection with the final report in C.C.No.142 of 2010, on the file of the Learned Judicial Magistrate, Omalur, Salem and quash the same.

For Petitioner : Mr.R.Ramesh

For Respondents : Mr.S.Vinoth Kumar
Govt. Advocate (Crl.Side) for R1

ORDER

This criminal original petition is filed to quash the proceedings in C.C.No.142 of 2010 on the file of the Learned Judicial Magistrate, Omalur, Salem, which was filed against the accused for the offence under Sections 417, 468 and 420 IPC.

2. The crux of the allegation is that the accused having entered into a sale agreement with the de-facto complainant, sold the property thereafter to some other person. Though a suit was pending in this regard, thereafter the petitioner has impersonated the de-facto complainant and created cancellation of the sale agreement before the Sub Registrar. When the final report itself indicates the allegation of impersonation was made against the petitioner, the same has to be tested before the trial Court. Therefore, this Court is of the view that it is a fit case where the trial has to see its logical end.



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3. Accordingly, the criminal original petition is dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

psa/asr

To

1. The Judicial Magistrate,
Omalur, Salem.
2. The Sub Inspector of Police,
District Crime Branch,
Salem District.
3. The Public Prosecutor,
High Court, Madras.

Crl. O.P. No.12488 of 2017

RLD(CO)
RGA(29/12/2021)