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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.27884 of 2017 and
Crl.M.P.No.15874 of 2017

Mrs.Vanaja

... Petitioner

Vs

1. The State rep. by
The Inspector of Police,
Central Crime Branch,
Veppery, Chennai.

2. V.S.Boopalan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.256 of 2017, pending on the file of the 1st Respondent Police, and quash the same.

For Petitioner : Mr.P.Dinesh Kumar

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 Crime No.256 of 2017 pending on the file of the 1st Respondent Police against the petitioner for the offences punishable under Sections 420, 465, 468, 471 of I.P.C.

2. The F.I.R. is said to have been given by the husband of one Shobana stating that the accused in order to grab the property standing in the name of Shobana, has created a false Will dated 06.06.2014 and not only forged the signature of the deceased Shobana but also the signature of the defacto complainant in the will. The same has been sought to be investigated.



3. The contention of the learned Counsel for the petitioner is that there is a civil suit pending between the parties. Therefore, the civil dispute has been given a criminal colour. So, F.I.R. has to be quashed.

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4. At the outset, I am unable to persuade myself to the submissions of the learned counsel for the petitioner. The very allegation in the F.I.R. itself indicate the alleged forgery of signature of the defacto complainant and also one Shobana. Though the suit has been filed in the year, 2015, it appears that no steps whatsoever has been taken by the respondent to get the expert opinion and that also cannot be ignored altogether. In such view of the matter, investigation has to see its logical end and as serious allegations of forgery is involved, the F.I.R. cannot be quashed.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vrc / kbs

To

1. The Inspector of Police,
Central Crime Branch, CC3.1
Veppery, Chennai.
2. The Public Prosecutor
Madras High Court
Chennai

+1cc to Mr.P.Dinesh Kumar, Advocate, S.R.No.69700

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PVS (CO)
CT 19/01/2022