



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.28811 of 2017
and
Crl.M.P.No.16311 of 2017

Mr.J.Sasikumar

...Petitioner/A2

Vs.

1.State of Tamilnadu,
Represented by its,
Inspector of Police,
(Law and Order),
T-14 Mangadu Police Station,
Chennai.

... Respondent / Complainant

2.N.Saghadevan

... Respondents / Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for records and quash the information dated 21.11.2017 in T14 Crime No.2393 of 2017 on the file of the respondent/complainant herein as against the petitioner/accused No.2 herein.

For Petitioner ... No Appearance

For Respondents ... Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

Today there is no representation on behalf of the petitioner. There has been no representation on behalf of the petitioner even on the earlier occasions on 23.08.2021 and again on 03.09.2021.

2.The present petition has been filed to quash Crime No.2393 of 2017 on the file of the 1st respondent namely, T-14 Mangadu Police Station, Chennai. The said crime number had been registered under Sections 406, 420 and 506 (i) IPC.



3.It is the case of the defacto complainant that a Settlement Deed had been executed with respect to property namely, Plot No.36, Kumutham Nagar Annexe, Mugalivakkam, Chennai. It is stated that he had misplaced the said Settlement Deed and had obtained 'Non-Traceable Certificate'. He thereafter entered into an Agreement of Sale with one K.Devakumar. He had also executed a Power of Attorney in favour of the said K.Devakumar.

4.It is the further case of the defacto complainant that A2 who is the petitioner herein, having come to know that the Settlement Deed had been misplaced by the defacto complainant along with the other accused had created forged document and effected sale of the property in favour of the present petitioner / A2. It is under these circumstances that the complaint had been given leading to registration of First Information Report in Crime No.2393 of 2017 under Sections 406, 420 and 506 (i) IPC.

5.There has been no progress in the investigation and which actually acts to the detriment of the petitioner also. In view of these facts, I hold that since cognizable offence has been made out, it would only be appropriate that the 1st respondent continues with the investigation of the allegations in the complaint.

6.With the above observations, the present Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

smv
To

1.The Inspector of Police, (Law and Order),
T-14 Mangadu Police Station, Chennai.

2. The Public Prosecutor, High Court, Madras-104.

Cr1.O.P.No.28811 of 2017
and
Cr1.M.P.No.16311 of 2017

PMK (CO)
GMY (18/10/2021)