



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04/01/2022

C O R A M

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.12604 OF 2017

AND

CRL.M.P.NO.8238 OF 2017

1. A.Chandrasekaran

2. K.Durai

3. C.Janaki

4. C.Kumar

... Petitioners/Accused 1 to 4

.Vs.

1. The State Rep. By
The Inspector of Police (Crime),
F 5 Choolaimedu Police Station,
Chennai - 94.

2. S.Surendran

... Respondents

PRAYER:-

Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Crime No.1381 of 2017 of FIR registered in Crime No.1381 of 2017 dated 01/04/2017 on the file of the Inspector of Police (Crime), F.5 Choolaimedu Police Station, Chennai and quash the FIR.

For Petitioner .. Mr.S.R.Shenbaga Babu

For Respondents .. Mr.S.Vinoth Kumar
Government Advocate
(Criminal Side)
For R1

Mr.N.Baskaran
For Mr.R.Ramesh
For R2



O R D E R

This Criminal Original Petition has been filed to quash the FIR registered in Crime No.1381 of 2017, dated 1/4/2017, on the file of the Inspector of Police (Crime), F.5 Choolaimedu Police Station, Chennai.

2. The main contention of the learned counsel for the petitioners is that the person who lodged the complaint has no locus standi. The alleged fabrication of document is of the year 2002, whereas the complaint has been filed in the year 2017. Further, there is no materials to show that forgery is committed. Hence prays to quash the First Information Report.

3. The learned Government Advocate (Criminal Side) submitted that the first petitioner is dead.

4. The learned counsel appearing for the second respondent has opposed the submission made by the learned counsel appearing for the petitioners.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. Perused the First Information Report. The crux of the allegation made in the First Information Report indicate that the petitioners said to have created a false document, in order to grab the property, to an extent of 35 sq.feet. The allegations indicate prima facie materials to proceed further to investigate the matter. The investigation has to see its logical end. They have to find out whether the forgery alleged in the complaint has been committed or not. In such a view of the matter, this Court is not inclined to quash the FIR in Crime No.1381 of 2017.

7. In the result, this Criminal Original Petition is dismissed. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mvs



To

1. The Inspector of Police (Crime),
F.5 Choolaimedu Police Station,
Chennai - 94.

2. The Public Prosecutor,
High Court, Madras.

CRL.O.P.NO.12604 OF 2017

AK-II (CO)
PBS/21/01/2022