



Crl.O.P.(MD) No.12000 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.(MD) No.12000 of 2022

Nagarani

...Petitioner

Vs.

1.The District Crime Branch,
Dindigul District,
(Crime No.71 of 2011)

2.P.Selvi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to C.C.No.20 of 2019 on the file of the Special Court for Exclusive Trial or Land Grabbing Cases, Madurai and quash the same as devoid of merits.

For Petitioners	: Mr.A.Haja Mohideen
For R-1	: Mr.E.Antony Sahaya Prabahar, Additional Public Prosecutor.



Crl.O.P.(MD) No.12000 of 2022

ORDER

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The Criminal Original Petition has been filed to quash C.C.No.20 of 2019 on the file of the Special Court for Exclusive Trial or Land Grabbing Cases, Madurai.

2. The facts of the case are that the second respondent purchased the property in Survey No.428/2 to an extent of 2 Acres 47 cents through registered sale deed. Subsequently, when she applied for encumbrance certificates, she came to know that the petitioner herein executed sale deed in respect of the same property. In such circumstances, a dispute arose between the petitioner and the second respondent in respect of the property. Hence, the complaint was lodged and a case has been registered in Crime No.71 of 2011. Meanwhile, the petitioner's father, who is first accused died. Further, the said sale deed in favour of the petitioner was cancelled and joint petition was given to the Revenue Divisional Officer to effect the patta in the name of the second respondent and it is pending. Thus, the allegations against the petitioner was settled. Hence, the petitioner pleaded to quash C.C.No.20 of 2019 on the file of the Special Court for Exclusive Trial or Land Grabbing Cases, Madurai.



CrI.O.P.(MD) No.12000 of 2022

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3.The learned Additional Public Prosecutor submitted that the case has been taken on file and pending for trial and it is posted on 19.07.2022 for trial.

4. I have considered the matter in the light of the submissions made by learned counsel for both the parties.

5. Perusal of the records reveals the fact that originally the disputed property was owned by Deepa, the first daughter of first accused. She sold the property to the complainant Selvi on 07.01.2002 by way of registered sale deed. Subsequently, the accused Balu created the documents in favour of his another daughter, the present accused petitioner namely, Nagarani, by impersonation of forged documents. Hence, the Police prosecuted the accused. Now, the learned counsel for the petitioner submitted that after the incident, the petitioner re-conveyed the property to the complainant and she wants to settle the matter between them and she seeks permission of this Court to dispense with the personal appearance before the Trial Court.



Crl.O.P.(MD) No.12000 of 2022

WEB COPY

6. Recording the same, the personal appearance of the petitioner is hereby dispensed with before the Trial Court with a condition that she should appear before the Trial Court whenever required by the Trial Court for further proceedings.

7. In view of the above, this Criminal Original Petition stands closed.

05.07.2022

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
Nsr

To

1. The District Crime Branch,
Dindigul District,
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.O.P.(MD) No.12000 of 2022

V.SIVAGNANAM, J.

Nsr

CrI.O.P.(MD) No.12000 of 2022

05.07.2022