



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.10.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P. Nos.5064 and 6919 of 2022

and

Crl.M.P. Nos.2724 and 3923 of 2022

Mrs.Jaya

... Petitioner in Crl.O.P. No.5064 of 2022

Mr.M. Vishal

... Petitioner in Crl.O.P. No.6919 of 2022

-VS-

1.State Represented by
The Inspector of Police,
H.8, Thiruvotriyur Police Station,
Thiruvotriyur, Chennai – 600 019.

2.M.Suresh

...Respondents in both Crl.O.Ps.

COMMON PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records FIR in Crime Nos.169 of 2022, pending on the file of the 1st respondent, the Inspector of Police Station (Crime) Thiruvotriyur Police Station, Chennai.



For Petitioner
For R1

: Mr.Lakshmipathi
: Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

COMMON ORDER

The learned Counsel appearing for the petitioners submitted that the dispute is between brothers regarding the property in which the defacto complainant and the accused have share. It is contended by the learned counsel for the petitioners that the defacto complainant already relinquished his right in the property and executed a deed. Now by suppressing the fact, he has given a complaint as if he was cheated by his brother. The property has been now transferred in the name of his brother's son.

3. A specific averment in the FIR regarding dishonest representation of the defacto complainant while executing the deed of the year 2018 has been alleged. It is for the Investigating Officer to verify whether the said allegation is true or after three years of the execution of the deed, the defacto complainant is trying to take advantage of his acts. After thorough investigation, if any cognizable offence is made out, the Investigation Officer shall proceed or else close the complaint and report.



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3. These Criminal Original Petitions are disposed of. Connected Miscellaneous Petitions are closed.

11.10.2023

Internet : Yes/No

Index : Yes/No

rkp

To

1.The Inspector of Police,
H.8, Thiruvotriyur Police Station,
Thiruvotriyur, Chennai – 600 019.

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



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Crl.O.P. Nos.5064 and 6919 of 2



Dr.G.JAYACHANDRAN, J.

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Crl.O.P. Nos.5064 and 6919 of 2022
and
Crl.M.P. Nos.2724 and 3923 of 2022

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