



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.8435 of 2023
and CrI.M.P.No.5351 of 2023

D.Babu

... Petitioner

Vs.

1.The Inspector of Police,
District Crime Branch,
Villupuram,
Villupuram District.
Crime No.44 of 2022

2.Subramani

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the Crime No.44 of 2022 on the file of the 1st respondent/Inspector of Police, District Crime Branch, Villupuram and quash the same.

For Petitioners : Mr.S.Anburaja

For Respondents : Mr.S.Santhosh
Government Advocate (CrI. Side)
for R1



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ORDER

The petitioner herein claiming as bonafide purchaser seeks quash of the complaint lodged against him for offence under Section 420 of IPC.

2.The brief facts of the case leading to registration of the complaint is that the property documents were mortgaged for raising loan of Rs.8.5 Lakhs. Later, after lodging a complaint, alleging that the document is missing. Non-traceable Certificate was obtained and sold by the vendor to the petitioner herein. However, the person who was advanced with a loan on deposit of title deed, being aggrieved has filed this complaint.

3.The petitioner claims that he is a third party bonafide purchaser and therefore, the complaint against him has to be quashed.

4.The Additional Public Prosecutor submitted that investigation is almost completed. If there is no material for *mens rea* to fix the petitioner herein in the crime of deception and dishonour intention to deceive the



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defacto complainant, his name will be dropped and the learned Additional Public Prosecutor seeks seventy five days to complete the investigation and to file the final report.

5. Accordingly, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

18.10.2023

Index : Yes/No
Neutral Citation : Yes/No
ssr

To

1. The Inspector of Police,
District Crime Branch,
Villupuram,
Villupuram District.
2. The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.



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Dr.G.JAYACHANDRAN,J.

SSR

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