



WEB COPY



Crl.O.P.No.24305 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24305 of 2023

and

Crl.M.P.Nos.16909 & 16910 of 2023

S.Allauudin

... Petitioner

Vs.

1. The State Rep. By,
Sub Inspector of Police,
Land Grabbing Wing,
Central Crime Branch,
Team 23 -A,
Vepperi,
Chennai -7.
Crime No.565 of 2008.

2. S. Karunakaran

...Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to call for the records in connection with the case in C.C.No.75 of 2022 on the file of the learned Special Court No.II for the exclusive trial of land grabbing cases, Allikulam, Chennai and quash the same against the petitioner/accused-6.



Crl.O.P.No.24305 of 2023

For Petitioner : M/s. S.Kingston Jerold

For Respondent : Mr. S.Udaya Kumar
learned Government Advocate (Crl. Side)

ORDER

Petitioner herein arrayed as A6 in a case of fabricating forged documents and alienation of government land. In the fabricated documents, petitioner has signed as witnesses and hence arrayed as A6 for the offence under Sections 420, 465, 467, 468, 471, 474 read with Section 120(B) of IPC. The quash petition is filed on the premise that, he witnessed the execution of documents without the knowledge that, it is a forged documents. These facts are to be tested in the trial. Whether he had knowledge or not, evidences collected indicates that it was with intention and part of conspiracy. Petitioner has signed forged document. Therefore, petition to quash the case cannot be entertained.

2. Accordingly, this Criminal Original Petition is dismissed.



Crl.O.P.No.24305 of 2023

3. The learned counsel appearing for the petitioner seeks dispensing the personal appearance of the petitioner.

4. Taking note of the above said submission, this Court directs the trial Court to consider if any petition filed under Section 317 Cr.P.C., for dispense with the appearance of the petitioner positively, unless and until his physical presence is required for the progress of the trial.

22.11.2023

Index : Yes/No
Neutral Citation : Yes/No
Sma

To:

1. Sub Inspector of Police,
Land Grabbing Wing,
Central Crime Branch,
Team 23 -A,
Vepperi,
Chennai -7.

2. The Public Prosecutor,
Madras High Court.



Crl.O.P.No.24305 of 2023

Dr.G.JAYACHANDRAN,J.

Sma

Crl.O.P.No.24305 of 2023

22.11.2023