



Crl.O.P.No.17350 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.17350 of 2022
and Crl.M.P.No.10503 of 2022

1.Shanmugamurthy
2.Sundaramurthy

Petitioners

...

Vs.

1.State represented by
The Inspector of Police,
Gobi Chettipalayam Police Station,
Erode District.(Crime No.314 of 2022)

2.Ramanathan

...

Respondents

Prayer: Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.314 of 2022 on the file of the Inspector of Police, Gobi Chettipalayam Police Station, Erode District and quash the same.

For Petitioners : Mr.R.Sankarasubbu

For Respondent : Mr.S.Udaya Kumar
No.1 Government Advocate (Crl.Side)

ORDER

To quash the case in Crime No.314 of 2022 on the file of the Inspector of Police, Gobi Chettipalayam Police Station, Erode District, the present criminal original petition has been filed.



2.The allegation in the FIR indicates that the defacto complainant had sold the property in the year 2016 to A1, thereafter it appears that A1 has developed the property as a flat and sold the property to various persons. The petitioners, who have been arrayed as A5 & A6, purchased the property from defacto complainant's sister and after seven years, complaint has been given as if it is only a loan transaction.

3.Considering the nature of allegation and in the quash petition, earlier this Court granted interim stay of further proceedings till 09.09.2022, thereafter, it was not extended further. Though there is material to infer that the petitioners are bonafide purchaser, it is open nature for the Investigation Officer to arrive at proper conclusion after completion of investigation and therefore, without adverting the merits of the case, the criminal original petition is disposed of with the direction to the Investigation Officer to complete the investigation and file the final report within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Index : Yes/No
Internet: Yes/No
sms

18.10.2023



Crl.O.P.No.17350 of 2022

To
WEB COPY

- 1.State represented by
The Inspector of Police,
Gobi Chettipalayam Police Station,
Erode District.(Crime No.314 of 2022)
- 2.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.17350 of 2022

Dr.G.JAYACHANDRAN,J.

sms

Crl.O.P.No.17350 of 2022
and
Crl.M.P.No.10503 of 2022

18.10.2023