



WEB COPY



CrI.O.P.No.18684 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

**CrI.O.P No.18684 of 2023**

**and**

**CrI.M.P.No.12453 of 2023**

M.M.M.Thiagarajan

...Petitioners

vs.

1.State rep by its Inspector of Police,  
M4, Redhills Police Station,  
Thiruvallur District.

2.Mageshwari

...Respondents

**PRAYER:**

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the record of the FIR in Crime No.397 of 2022 on the file of the first respondent and quash the same in so far as the petitioner/accused No.3 is concerned.

For Petitioners : Mr.P.Sudalaiyandi

For Respondents : Mr.A.Damodaran  
Additional Public Prosecutor, for R1



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**ORDER**

**WEB COPY** This criminal original petition has been filed to quash the FIR in Crime No.397 of 2022 pending investigation before the first respondent.

2. The second respondent has given complaint before the first respondent to the effect that she is the absolute owner of the subject property and that she had executed the General Power of Attorney on 29.04.2016 in favour of A1. A1 is said to have sold the property to his own wife (A4). According to the second respondent, A1 has sold the property by creating the false missing certificate and life certificate. Based on this complaint, FIR came to be registered in Crime No.397 of 2022 by the first respondent.

2. Heard the learned counsel for the petitioner and the respondent and also perused the materials available on record.

3. On going through the complaint, it is seen that there are no allegations made against the petitioner (A3). It is brought to the notice of this Court that the petitioner has been arrayed as an accused only on the ground that the petitioner had typed the sale deed executed by A1 in favour of his wife (A4). A2 is the middle-man in this case.



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4. Considering the facts and circumstances of the case, there is nothing to show the involvement of the petitioner in the crime except for the fact that the petitioner had typed the sale deed. In view of the same, it is left open to the first respondent to treat the petitioner as a witness in this case and record his statement under Section 161(3) of CrPC. On completion of investigation, the final report shall be filed as against the accused persons, against whom there are sufficient materials.

5. This Criminal Original Petition is disposed of in the above terms. Consequently, the connected miscellaneous petition is also closed.

**21.08.2023**

Index : Yes/No  
Internet : Yes/No  
Speaking Order/Non-Speaking Order  
nsa



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**N. ANAND VENKATESH, J.**

nsa

To

1.The Inspector of Police,  
All Women Police Station,  
Virudhachalam, Cuddalore.

2.The Public Prosecutor,  
Madras High Court,  
Chennai 600 104..

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