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Crl.O.P.No.22669 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22669 of 2023
and
Crl.M.P.Nos.15838 & 15839 of 2023

R.Vasudevan Rajan

... Petitioner

Vs.

1.The State by Inspector of Police,
Central Crime Branch-1,
Vepery, Chennai.
(Crime No.108/2022)

2.Thiripurasundari

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the entire records in C.C.No.5820 of 2023 on the file of the learned Metropolitan Magistrate CCB & CBCID Court, Egmore, Chennai and quash the same.

For Petitioner : Mr.K.Nirmal Kumar

For R1 : Mr.S.Udaya Kumar
Government Advocate (Criminal Side)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police.



2. The petitioner herein who is arrayed as A3 in C.C.No.5820 of 2023 is before this Court stating that there is no ingredient to proceed against this petitioner either under Section 420 or under Section 468 IPC except the statement of one of the accused who is no more.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police referring the documents annexed along with the final report submitted that the property of one Thiripurasundari, who is the defacto complainant, been grabbed by the accused person by creating fake document as if one Rangasamy and Harikrishnan had purchased it from the original owner of Hansibai in the year 1965 and thereafter, sold to Narayanamurthy, in turn, to Swathy and another. The sale consideration received from them were shared by this accused and money transaction in the bank are enough evidence available in the account of this petitioner that on 14.10.2021 Rs.10,00,000/- been transferred.

4. This Court apart from the submission made by the learned Government Advocate (Crl.Side) also gone through the statement of Swathy and Sathish who had spoken about the involvement of the petitioner herein



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claiming himself as builder and enticed the defacto complainant to part away the money. Since there is material to proceed against this petitioner, this Court summarily not satisfied on the submission made by the learned counsel for the petitioner solely on the ground that the prime accused is dead. Hence the Criminal Original Petition seeking quash of the criminal proceedings is dismissed. Consequently, the connected Criminal Miscellaneous Petitions are also dismissed.

06.11.2023

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Metropolitan Magistrate CCB & CBCID Court, Egmore, Chennai

2.The Inspector of Police,
Central Crime Branch-1,
Vepery, Chennai.

3.The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN, J.

rpl

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