



Crl.O.P.No.31464 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2023

CORAM:

THE HONOURABLE Ms.JUSTICE **R.N.MANJULA**

Crl.O.P.No.31464 of 2019

1. A.Ramachandrappa
2. G.Venkatesh
3. Nanjamma

... Petitioners

-Vs-

1. The Inspector of Police,
District Crime Branch,
Krishnagiri District-635 115.
(Crime No.4 of 2016)
2. Venkatesh Naidu

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, praying to call for the records relating to the case in Crime No.4 of 2016 for the alleged offences punishable under Sections 419, 465, 468, 471, 420 IPC dated 14.01.2016 on the file of the Inspector of Police, District Crime Branch, Krishnagiri District and quash the proceedings against the petitioners.

For Petitioners : Mr.G.M.Anantha Kumar

For Respondents : Mr.A.Gopinath
Govt. Advocate (Crl.Side) for R1
Mr.J.A.Prabakaran for R2



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ORDER

This Criminal Original Petition has been filed to call for the records relating to the case in Crime No.4 of 2016 and quash the same.

2. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl. Side) appearing for the first respondent and the learned counsel for the second respondent. Perused the entire materials available on record.

3. The learned counsel for the petitioners submitted that the parties have compromised the issue between themselves and hence, an order for appearance of the parties should be passed.

4. The records does not show that any compromise Memo. It is seen from the records that as early as on 25.11.2019 also, the Court has ordered to list the matter under the caption “For Recording Compromise”. The above proceedings would show that there was no compromise and the parties have not chosen to make it on record.

5. The matter is kept pending for nearly four years without admission.

6. The *defacto* complainant has given a complaint by alleging that the accused had forged certain documents pertaining to the land in Survey No.118/2B at Moorthikanathinna village belonging to the 2nd respondent.



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They also trespassed into the property by claiming false title. On the basis of the above allegations, a case has been registered for the offences under Sections 419, 465, 468, 471 & 420 IPC. The averments of the complaint is a detailed one and at the threshold stage itself, this Court cannot come to any conclusion without ordering a detailed investigation. On the basis of compromise, the matter has been protracted nearly four years. I do not find any reason to quash the FIR in Crime No.4 of 2016 against the petitioners.

7. In the result, this Criminal Original Petition is dismissed.

21.02.2023

Index : Yes/No

Speaking/Non Speaking order

Neutral Citation Case: Yes/No
kmi

To

1. The Inspector of Police,
District Crime Branch,
Krishnagiri District-635 115.
2. The Public Prosecutor,
High Court of Madras
Chennai-600 104.



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R.N.MANJULA, J

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