



WEB COPY

Crl.O.P.No.25670 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.11.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25670 of 2023
and
Crl. M.P. No.17813 of 2023

Ms.Sridevi

... Petitioner

-VS-

1. The State Rep. by
The Inspector of Police,
CCB Police Station, Coimbatore City.
(Cr. No.42 of 2023).

2.Venkat

...Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records pertaining in Cr. No.42 of 2023 on the file of CCB Police Station, Coimbatore and quash the proceedings.

For Petitioners : Mr.A.Parthasarathy

For Respondent 1 : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

**ORDER**

The petitioner herein seeks quash of the complaint registered by CCB Police Station, Coimbatore in FIR No. 42 of 2023 dated 13.10.2023. The allegation against these petitioner is very serious in nature. Hence, prima facie satisfaction of cognizable offence punishable under Sections 120B, 427, 465, 468 & 506(2) has been made out from the complaint, the police has taken up the matter for investigation.

2. The learned counsel for the petitioner submitted that it is a landlord tenant dispute and already civil suits are pending. Whiles, the criminal colour been given to the dispute by the defacto complainant, he has also referred the exchange of notice between the petitioner and the defacto complainant to their lawyers, where there is a candid admission of existence of lease deed.

3. Mere filing of Civil Suit will not be a bar for police from investigating the case, if there is material to show serious cognizable offence. It is a case where allegation of forgery, breach of trust were made and the same is under investigation. The statements in other proceedings cannot be tested to ascertain whether a disputed document is forged or not, proper scientific testing of the disputed document is required for that investigation must be done without any interference.

4. Therefore, this Court finds no merits in this petition to quash the FIR.



Hence, the petition is dismissed. Consequently, connected Miscellaneous
Petition is also dismissed.

09.11.2023

Internet : Yes/No
Index : Yes/No
rkp

To

- 1.The Inspector of Police,
CCB Police Station, Coimbatore City.
2. The Public Prosecutor,
Madras High Court, Madras.

Dr.G.JAYACHANDRAN, J.



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