



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.32668 of 2022

and

CrI.M.P.No.20164 of 2022

M.Edwin Christopher

... Petitioner

Vs.

1. The State of Tamil Nadu
represented by the Inspector of Police,
CCBI, ALGSE-II,
Team-26,
Tambaram, Chennai.

2. M.Visithra

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in FIR No.136 of 2019 on the file of the 1st Respondent and quash the same.

For Petitioner : Mr.M.Vijayakumar

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor for

R1



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ORDER

The petitioner herein seeks quash of the FIR on the ground that no substance in the complaint which attracts provision under IPC and Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992. It is also submitted by the learned counsel for the petitioner that when the final report was filed before the Magistrate it was returned on the ground that there is no material to entertain the final report for offence under Section 4 of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992.

2.The learned Additional Public Prosecutor submits that the investigation reveals that land of the complainant due to title dispute was damaged using JCB and apart from Section 4 of TNPPDL Act, the other provisions under IPC is made out. They will file a final report, within a period of fifteen days.

3.Recording the submissions, the petition to quash is disposed of with liberty to the petitioner to challenge the final report, if he is so advised. The final report shall be filed not later than forty five (45) days from today.



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4. This criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed. Consequently, connected miscellaneous petition is closed.

18.10.2023

Index : Yes/No

Neutral Citation : Yes/No

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To

1. The Inspector of Police,
CCBI, ALGSE-II,
Team-26,
Tambaram, Chennai.
2. The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.



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Dr.G.JAYACHANDRAN,J.

SSI

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