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Crl.O.P.(MD)No.6928 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.04.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.6928 of 2023
and Crl.M.P.(MD).No.5993 of 2023

1.K.Kasipandi

2.K.Kalimuthu

... Petitioners

Vs.

1.The Superintendent of Police,
Tenkasi District,
Tenkasi.

2.The Sub Inspector of Police,
Anti Land Grabbing Special Cell,
Tenkasi District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and quash the summons sent through post card dt 29.03.2023 vide G4/855/7020/SPTen/23 C.No.128/Algsc/Ten/23 by the R2.

For Petitioner : Mr.I.Robert Chandrakumar

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor



ORDER

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This Criminal Original Petition has been filed seeking to quash the summons sent through post card dt 29.03.2023 vide G4/855/7020/SPTen/23 C.No.128/Algsc/Ten/23 by the second respondent.

2.The learned Additional Public Prosecutor would submit that on the basis of the complaint given by one Kadalmani against the petitioners making allegations that the first petitioner by forging some documents , included in his name in joint patta in respect of the property in S.No. 297/1A1 and settled the same in favour of his son, enquiry was undertaken. During the course of enquiry, it is found that in respect of the property civil suit in O.S.Nos.284 of 2019 and 128 of 2020 are pending between the parties before the Civil Court. Even the patta proceedings matter was also concluded because of the pendency of the above said suits. On the basis of the above said, the complaint itself was closed by directing the parties to workout their remedy in the pending suits. Hence, the prayer sought for in this petition has become infructuous.

3.Recording the submissions made by the learned Additional Public Prosecutor, this criminal original petition is dismissed as



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infructuous. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Internet : Yes/No
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To

- 1.The Superintendent of Police,
Tenkasi District,
Tenkasi.
- 2.The Sub Inspector of Police,
Anti Land Grabbing Special Cell,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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