



CRL.O.P.(MD)No.9513 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL.O.P.(MD)No.9513 of 2021

and

CRL.M.P.(MD)No.4857 of 2021

Anandaraman

... Petitioner / Accused No.3

-Vs-

1.The State represented by

The Inspector of Police,

District Crime Branch Police Station,

Thoothukudi, Thoothukudi District.

(Crime No.22 of 2020)

... 1st Respondent / Complainant

2.Jaspher Milton Maharaja

... 2nd Respondent / Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, seeking to call for records and quash the FIR in Crime No.22 of 2020 dated 29.12.2020 on the file of the Inspector of Police, District Crime Branch, Thoothukudi, Thoothukudi District.

For Petitioner : Mr.B.Deepak

For R1 : Mr.M.Muthumanikkam

Government Advocate (Crl.Side)

For R2 : No appearance



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ORDER

The petitioner / the 3rd accused filed this petition to quash the First Information Report in Crime No.22 of 2020, dated 29.12.2020 on the file of the 1st respondent.

2.The case of the prosecution is that the defacto complainant inherited the property in Survey No.108, situated at Thoothukudi Part-1 Village and he is in peaceful possession and enjoyment of the same. The 1st accused having conspired with other accused persons, created a forged patta and executed a settlement deed in favour of the 2nd accused, who is none other than the son of the 1st accused. Thereafter, the 2nd accused had also executed two mortgage deeds and obtained loan in Axis Bank, Madurai. The petitioner / the 3rd accused had given false encumbrance certificate. Hence, the case was registered in Crime No.22 of 2020 for the offences punishable under Sections 120B, 420, 423, 468, 470, 474 and 34 of IPC.



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3. When this matter is taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the 1st respondent would submit that this petitioner is originally arrayed as the 3rd accused in the First Information Report, subsequently, during the investigation, the Investigation Agency deleted the name of this petitioner / third accused and proper deletion report was also filed before the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Thoothukudi, on 05.02.2022 and the same was also intimated to the defacto complainant.

4. Recording the aforesaid submission, as there is no further adjudication required in this petition, this Criminal Original Petition stands closed. Consequently, connected Miscellaneous Petition is closed.

26.04.2023

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MYR



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K.K.RAMAKRISHNAN, J

MYR

To:

- 1.The Inspector of Police,
District Crime Branch Police Station,
Thoothukudi, Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CRL.O.P.(MD)No.9513 of 2021

Dated:

26.04.2023