



CrI.O.P.(MD)No.10163 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.06.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.10163 of 2023

and

CrI.M.P(MD) No.8059 of 2023

S.Balaguru

... Petitioner/ 2nd Accused

Vs.

1. The State of Tamil Nadu,
Represented by the Inspector of Police,
District Crime Branch,
Anti Land Grabbing Cell,(AILGSC),
Madurai District.
(Crime No.28/2021)

...1st Respondent/Complainant

2. Ilayaperumal

...2nd Respondent/ Defacto
Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records from the respondent police in crime No.28 of 2021 and quash the same as illegal, as far as petitioner is concerned.

For Petitioner : Mr.Kishore Kumar.V

For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor



Crl.O.P.(MD)No.10163 of 2023

ORDER

WEB COPY This Criminal Original Petition has been filed to call for the records from the respondent Police in Crime No.28 of 2021 and quash the same as illegal, as far as petitioner is concerned.

2. The learned counsel for the petitioner would submit that only due to mistake, the survey number has been wrongly mentioned in the sale deed, dated 25.10.2006. He would further submit that only on recent times, he came to know that there is some mistakes in the sale deed.

3. If it is so, the petitioner ought to have executed the rectification deed. But so far, the above said deed was not executed by the petitioner.

4. Even after registering of First Information Report in Crime No.28 of 2021 and while hearing the anticipatory bail application that was filed by the petitioner, stand that was taken by this petitioner is that due to some mistakes in the computer, the above said mistake occurred. But now different stand have been taken by the petitioner, as if in the above said disputed document, survey number has been wrongly



Crl.O.P.(MD)No.10163 of 2023

mentioned by mistake. If it is so, as mentioned above, the petitioner ought to have taken steps to rectify the mistakes by way of execution of rectification deed, but after granting of the above said anticipatory bail, no steps have been taken so far. Pending the above said, the learned counsel for the petitioner stated that it is purely civil dispute between the parties. Such a contrary stands cannot be entertained by this Court. So, the investigation must be taken to its logical end. I find absolutely no reason to quash the First Information Report in Crime No.28 of 2023 at this stage.

5. Hence, this Criminal Original Petition deserves dismissal and accordingly dismissed. Consequently, connected Miscellaneous Petition is closed.

12.06.2023

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

Indu



Crl.O.P.(MD)No.10163 of 2023

G.ILANGO VAN,J.

Indu

To

1. The Inspector of Police,
District Crime Branch,
Anti Land Grabbing Cell,(AILGSC),
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.10163 of 2023

Dated: 12.06.2023