



.O.P.(MD)No.13591 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 31.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.13591 of 2023

and

CRL.M.P(MD)No.10627 of 2023

1.A.Manisubramaniam

2.M.S.Arumuganathan

3.M.S.Meenatchi Sundaram

4.M.S.Manthiramoorthi

5.V.Manoharan

6.M.Saravanan

7.V.Muthaiah Pandian

8.Marikani

... Petitioners

Vs

1.The Inspector of Police

Virudhunagar West Police Station,

Virudhunagar District.

(in Crime No.127 of 2023)

2.Ramamoorthy

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to call for the records in connection with FIR No.127 of 2023 dated 27.06.2023 on the file of the first respondent Virudhunagar West Police Station, Virudhunagar District and quash the same.



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For Petitioners : Mr.R.Murugappan
For R-1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor
For R-2 : Mr.M.Ajmalkhan,
Senior Counsel
for M/s.Ajmal Associates

ORDER

This petition is filed under Section 482 of Cr.P.C. seeking for quashment of FIR in Crime No.127 of 2023, dated 27.06.2023.

2. It is submitted by learned counsel for the petitioners that originally, the land belonging to the forefathers of the petitioner No.1 / first accused and the first petitioner has got the same in the year 1932 under the registered partition deed. It is also submitted that the first petitioner has executed registered gift settlement deed in favour of accused Nos.2 to 4 / petitioner Nos.2 to 4 in the year 2017 and subsequently, Accused Nos.2 to 4 have also executed an agreement of sale in favour of accused Nos.6 and 7. It is submitted that respondent No.2 has filed a false complaint before the respondent Police claiming rights over the said property and thereby, the respondent Police have registered a false FIR in Crime No.127 of 2023 on 27.06.2023 for the alleged offences under Sections 120B, 447, 465, 468 and 471 of I.P.C.



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3. Considering the allegations and counter allegations, it is clear that the dispute in respect of the properties has already been pending before the Civil Court by way of civil suit in O.S.No.15 of 2019, which is filed by the second respondent's wife seeking for declaration of title and perpetual injunction and the trial Court is also stated to be in progress. However, it is alleged that the petitioners have committed the offence of forgery and created a document in the year 2017, the petitioners and the second respondent are directed to approach the respondent Police and file respective documents and on receiving of them, the respondent Police are directed to continue the investigation in respect of alleged offence and file a report under Section 173 Cr.P.C as quickly as possible not later than four months from the date of receipt of a copy of this order.

4. With this observation, the Criminal Original Petition stands disposed of. Consequently, the connected miscellaneous petition is closed.

31.07.2023

NCC:yes/no
Index:yes/no
Internet:yes/no

tsg



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DR.D.NAGARJUN, J.

tsg

To

- 1.The Inspector of Police
Virudhunagar West Police Station,
Virudhunagar District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P.(MD)No.13591 of 2023

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