



Crl.O.P.(MD) No.14929 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.14929 of 2023

and

Crl.M.P.(MD)No.11801 of 2023

Brammanantha Natesh

... Petitioner

Vs.

**1.The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
(Crime No.212 of 2019)**

2.Mohammed Igbal

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records pertaining to the case in Crime No.212 of 2019 pending on the file of the Inspector of Police, SIPCOT Police Station, Thoothukudi and quash the same as far as the petitioner is concerned.

For Petitioner : Mr.R.L.Dhilipan Pandian

**For R1 : Mr.SS.Madhavan
Government Advocate (Crl.side)**



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ORDER

This petition is filed under Section 482 of Cr.P.C. seeking quashment of FIR in Crime No.212 of 2019 pending on the file of the first respondent Police.

2. According to learned counsel for the petitioner, it is alleged by the *defacto* complainant that the petitioner's father has executed certain documents in favour of the *defacto* complainant and others, even though, said property was already transferred in favour of others. Thereby, a case has been registered against the petitioner's father and also on the petitioner alleging that they have committed offences under Sections 420, 465 and 468 of I.P.C.

3. It is submitted by learned counsel for the petitioner that even if the prosecution's version is accepted, Section 468 of I.P.C. does not apply to the facts of the case as forgery is not alleged by the *defacto* complainant. It is submitted that as on the date of executing document by the petitioner's father in the year 19 the petitioner was not a major. It is also submitted that the petitioner / Accused No.2 has not signed either as a executant or witness in any of the documents which are being disputed by the unofficial respondent.



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4. Learned Government Advocate (Criminal Side) has submitted that the Investigating Officer will certainly consider the submission of the petitioner, in case, if material is filed before the Investigating Officer.

5. While recording the same, this petition is disposed of, directing the respondent Police to expedite the investigation and complete the investigation in Crime No.212 of 2019 within a period of four weeks from the date of receipt of a copy of this order. The respondent Police are directed not to take any coercive steps against the petitioner. In case, if the petitioner / Accused No.2 is aggrieved by the outcome of the investigation, he is at liberty to approach the concerned Court with appropriate application. Consequently, connected miscellaneous petition is closed.

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

28.08.2023

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DR.D.NAGARJUN. J.

tsg

To

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

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