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Crl.O.P.(MD)No.19020 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.11.2023**

CORAM:

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

Crl.O.P.(MD)No.19020 of 2023

and

Crl.M.P.(MD).No.15005 of 2023

1.Kondusamy

2.Palaniyandi

3.Subbaiah

... Petitioners/Accused Nos.1 to 3

Vs.

1.The Inspector of Police,
DCB,
Madurai District.
(Crime No.3/2023)

...1st Respondent/Complainant

2.Muniyammal

...2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the Impugned FIR in Crime No.3 of 2023 U/s.419, 420, 465, 467, 471 of IPC on the file of the 1st Respondent Police dated 27.02.2023 and quash the same against these Petitioner as illegal.

For Petitioners : Mr.D.Balamurugapandi

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)



ORDER

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This Criminal Original Petition is filed to call for the records pertaining to the Impugned FIR in Crime No.3 of 2023 U/s.419, 420, 465, 467, 471 of IPC on the file of the 1st Respondent Police dated 27.02.2023 and quash the same against these Petitioner as illegal.

2. On the ground that the petitioner is claiming rival title over the disputed property, this petition has been filed.

3. The learned counsel for the petitioner would submit that the petitioner purchased the property from one Vengadesamy Naicker in the year of 1958. After that the property was sold to one Narayana Perumal Naiyudu in the year 1958 through registered sale deed.

4. But thereafter, how the above said property transferred to the name of the petitioner is not in the petition. It is a matter for investigation.

5. The petitioner must appear before the first respondent herein and produce the documents, which are available with him. There shall be a direction to the first respondent herein to peruse the documents, enquire



the matter with regard to the title and thereafter, take further action in this matter. Let the above said investigation be completed within a period of three months from the date of receipt of copy of this order. Depending upon the outcome of the above said investigation, the petitioner can workout his remedy through appropriate proceedings. There is no question of quashment of FIR at this stage.

6. With the above said directions and liberty, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed.

30.11.2023

Index : Yes/No
Internet : Yes/No
Indu

To

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



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G.ILANGOVAN. J.

Indu

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