



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :02.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.4624 of 2024

and

Crl.MP.Nos.3380 & 9145 of 2024

Manokaran

... Petitioner

Vs

1. The State Rep by
The Inspector of Police,
Dharmapuri District Crime Branch
Dharmapuri District-I,
(Cr.No.7 of 2023)

2. M.G.Sekar

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records and quash the FIR in Cr.No.7 of 2023 pending investigation on the file of the 1st respondent.

For Petitioner : Mr.M.V.Priyadharshini
For Respondents : Mr.KMD.Muhilan for R1
Government Advocate (Crl.Side)
Mr.R.Sasikumar for R2

ORDER

The petitioner herein is the named accused in Cr.No.7 of 2023 for the alleged offence under Section 420 of IPC.



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2. Contending that it is a civil dispute wherein the property sold by the defacto complainant receiving sale consideration, now been projected as if the sale deed was executed only as a security and the accused/petitioner agreed to re-convey it after receiving the money borrowed. Further, certain other facts also been canvassed to project the supply. The complaint is a malicious one. However, after hearing the counsel appearing on either side, this court finds that the property conveyed to the petitioner herein now been sold to the third party. At the same time, substantial amount been received from the complainant making him to believe that the property will be re-conveyed back. Therefore, the police has registered a case and taken up the investigation.

3. Learned Government Advocate (Crl.Side) appearing for the first respondent submits that in view of the stay granted, police is unable to proceed further.

4. Considering the facts as projected by both parties, this court is of the view that the complaint has made out prima facie case for investigation and therefore, cannot be quashed at this stage. Hence this



petition to quash, is dismissed. The parties shall participate in the investigation and the respondent police shall complete the investigation within a period of three months. Consequently, the connected miscellaneous petitions are closed.

02.07.2024

Index: Yes/No
Speaking / Non-speaking Order
gv

To

1. The State Rep by
The Inspector of Police,
Dharmapuri District Crime Branch
Dharmapuri District-I,
(Cr.No.7 of 2023)
2. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

gv

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