



Crl.O.P.No.8754 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:10.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8754 of 2024

&

Crl.M.P.No.6299 of 2024

1.Rajammal
2.Srinivasan
3.Subramani

.. Petitioners

/versus/

1.The State represented by
Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.
Crime No.53 of 2024

2.The Joint Sub Registrar-2,
Sub Registration Office,
Krishnagiri.

.. Respondents

Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records in FIR in Crime No.53 of 2024 on the file of the 1st respondent police and quash the same in so far as the petitioners are concerned.

For Petitioners	:Mr.R.Karunakaran
For Respondent	: Mr.K.M.D.Muhilan
	Government Advocate (Crl.Side)
	for R1



WEB COPY



Crl.O.P.No.8754 of 2024

ORDER

This Criminal Original Petition to quash the complaint in Crime No.53 of 2024, dated 19.02.2024 is filed by the third accused, out of nine accused named in the first Information Report.

2. The complaint discloses *prima facie* offences attracting punishment under Sections 465, 466, 468, 471, 420 of IPC and Section 82(c) of Registration Act, 1908. However, the petitioners, who are arrayed as A1, A2 and A8 submitted that the First Information Report is liable to be quashed, since the petitioners are true and rightful owner of the property and there is no offence committed as alleged in the complaint and other factual aspects also been canvassed to impress upon the Court that the investigation in the complaint cannot be proceeded.

3. However, as pointed by the learned Government Advocate (Crl.Side), since grave offence of forgery, fabrication of records committed by the petitioners, it has to be investigated in



Crl.O.P.No.8754 of 2024

WEB COPY

accordance with law and only after completion of investigation, the police will know whether any cognizable is made out or not. Since there is no material *prima facie* to infer that apart from the civil dispute, some criminality is made out.

4. On reading the complaint, without completing the investigation, the Court cannot arrive at any conclusion. Hence, this Criminal Original Petition is dismissed. However, the petitioners are at liberty to agitate their right, on completion of investigation, they are aggrieved by the out come of the investigation. Consequently, connected Miscellaneous Petition is closed.

10.04.2024

Index:yes/no

Neutral Citation:yes/no

ari

To

1.The State represented by
Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.

2.The Joint Sub Registrar-2,
Sub Registration Office,



Crl.O.P.No.8754 of 2024

WEB COPY Krishnagiri.

DR.G.JAYACHANDRAN,J.

ari

Crl.O.P.No.8754 of 2024

10.04.2024