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Crl.OP.No.8418of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.8418 of 2024
and
Crl.MP.Nos.6162 and 6163 of 2024

1. Piramila
2. K.Ponnusamy ... Petitioners
Vs.

1. State by
Inspector of Police,
District Crime Branch,
Coimbatore.
(Cr.No.3 of 2014)

2. N.Vijayakumar ... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records in C.C.No.566 of 2019 on the file of Judicial Magistrate-II, Pollachi and quash the same.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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ORDER

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This petition to quash the C.C.No.566 of 2019 pending on the file of learned Judicial Magistrate-II, Pollachi. These petitioners are A2 and A3 facing trial for the alleged offence punishable under Sections 120 b, 423, 420 r/w 511 of IPC.

2. The summon substances of the case against these petitioners is that the property which was originally sold to the defacto complainant through L.W.12 under Kittusamy, the virtue of the settlement deed executed by A1 in favour of L.W.12 . Later been alienated to A2 after cancelling the settlement deed. In the said cancellation deed, the husband of A2 is one of the witnesses.

3. The learned counsel for the petitioners claims that it is a case purely civil in nature and no criminal intention of conspiracy on the part of the petitioners. They are bonafide purchasers and witnesses to the cancellation of the settlement deed.

4. These facts are all to be canvassed before the trial court . The petition under Section 482 of Cr.P.C cannot be entertained to conduct the



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trial before the facts and aspects. Hence, this Criminal Original Petition
is dismissed. Consequently, the miscellaneous petitions are closed.

10.04.2024

Vv

To

1. The Inspector of Police,
District Crime Branch,
Coimbatore.
2. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

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