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Crl.O.P.No.20124 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.20124 of 2022

and

Crl.M.P.Nos.13236 & 13238 of 2022

Ashok Kumar @ Ashokan

... Petitioner

Vs.

1.The State Rep. by its
Inspector of Police,
District Crime Branch,
Anti Land Grabbing Special Cell,
Vellore.

2.C.Ravi

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to call for the records in C.C.No.60 of 2022 on the file of the
Judicial Magistrate, Arakkonam and quash the same.

For Petitioner	: Mr.N.Prakash
For R1	: Mr.S.Vinoth Kumar Government Advocate (Crl.Side)
For R2	: Notice served



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ORDER

This petition has been filed to quash the C.C.No.60 of 2022 on the file of the Judicial Magistrate, Arakkonam, in which cognizance was taken for the offence punishable under Sections 465, 467, 468, 471, 420 r/w 120(B) of IPC.

2. The case of the prosecution is that A1 has forged the revenue document such as Chitta / Patta purportedly in his name and based on which a settlement deed executed in favour of her daughter/ A2. A2 in turn executed a settlement deed in favour of her brother G.Hariprasad and also a sale deed was executed in favour of the petitioner for valuable sale consideration. Further A3 has executed a settlement deed in favour of his mother Arasalai. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the allegation against the petitioner is that he was colluded with other accused persons and created the fake document and executed the sale deed in his favour. After filing of the FIR, the alleged sale deed stands in the name of the petitioner was cancelled on 02.06.2022. As on date, the sale deed stands in the name



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of the petitioner is not in force. He also submitted that he has no claim right over the property in future. Hence, he prayed to quash the proceedings against the petitioner.

4. The learned Government Advocate (Crl. Side) appeared on behalf of 1st respondent submitted that the petitioner along with other accused have created a forged document and grabbing the property belongs to the defacto complainant's family. There are totally 5 accused, he was ranked as A4 and except him, all the 4 persons were belongs to one family. Based on the complaint given by the 2nd respondent, on 30.12.2021 the 1st respondent registered an FIR in Crime No.26 of 2021, for the offence under Sections 465, 467, 468, 471, 420 r/w 120(B) of IPC and the case was taken on file in C.C.No.60 of 2022, before the learned Judicial Magistrate, Arakkonam.

5. Considering the facts and circumstances and also the sale deed stands in the name of the petitioner was cancelled and he assured that he would not claim any right over the alleged property, therefore, the proceeding in C.C.No.60 of 2022 on the file of the Judicial Magistrate, Arakkonam. against this petitioner alone is hereby ordered to be quashed.



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T.V.THAMILSELVI, J.

rr

6. Accordingly, this Criminal Original Petition is allowed.

Consequently, the connected miscellaneous petitions are closed.

06.03.2024

Index: Yes/ No

Neutral Citation: Yes/No

rr

To

1.The Inspector of Police,
District Crime Branch,
Anti Land Grabbing Special Cell,
Vellore.

2.The Judicial Magistrate, Arakkonam

3.The Public Prosecutor,
High Court of Madras.

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and

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