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WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2024

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRL.OP No. 27924 of 2022

1 VEL @ VELU @ SAKTHIVEL

...petitioners

Vs.

1 INSPECTOR OF POLICE [RESPONDENT]
E-6 THIRUPORUR POLICE STATION CHENGALPATTU
DISTRICT. CRIME NO. 622/2021.

2 KAILASH NATH

...Respondent

PRAYER : This petition has been filed under Section 482 of Cr.P.C, to call for records and quash the proceedings in Crime No.622 of 2021 pending on the file of the Respondent.



For petitioner : Mr.K.Karthik

For respondents: S.Vinoth Kumar, Government

Advocate (Crl. side)

ORDER

The petitioner herein filed this petition to call for records and quash the proceedings in Crime No.622 of 2021 pending on the file of the Respondent.

2. The case of the prosecution is that the defacto complainant who is the in charge sub-register in sub registration office at Thirupurur, during the duty on 02.11.2021, Jayalakshmi/A1 and Uma/A2 presented an release deed for registration, at that time the registrar/defacto complainant enquired the executors while so some suspicious arose about the conduct of those parties in the minds of the defacto complainant. Hence, the defacto complainant lodged a complaint and thereafter FIR was registered in crime No. 622 of 2021 under Section 417, 419, 420, 465, 471, 34 of IPC against the petitioners and others. Challenging the said FIR the petitioner filed this petition to quash the same.

3. The learned counsel for the petitioner submits that the petitioner



was not present at the time of occurrence due to suspicion of the first respondent the petitioner called for enquiry there without any enquiry he was remanded to judicial custody with malafide intention. Furthermore, his name was not mentioned in the FIR. Hence, he prays to allow this petition.

4. The learned Government Advocate (Crl. side) submits that the accused persons attempted to grab the property based on the fabricated documents.

5. On perusal of records, it reveals that the accused persons trying to execute the release deed, when the registrar enquired about her mother's name, she stated that she did not know about the parents name, which cause suspicious over the accused persons. Hence, the Sub- registrar lodged a complaint. Considering the facts of the case, the accused persons attempted to grab the property based on the fabricated documents and also impersonated as if the original owner. Hence, this Court is not inclined to quash the FIR in crime No. 622 of 2021. Accordingly, this petition is dismissed. No Costs. Consequentially connected miscellaneous petitions are closed.

08.01.2024

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To
The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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CRL.OP No. 27924 of 2022
and Crl. MP. Nos. 17176 of 2022

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