



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2024

CORAM:

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

CRL.OP No. 26393 of 2022

& CrI.MP. No. 16292 of 2022

1 P.Rangan

...Petitioner

Vs.

1 State rep. by its The Inspector of Police,
Central Crime Branch-I, Wing -1,
EDF-I Wing,
Vepery, Chennai-7.

2. P.Prema

...Respondent

PRAYER : This petition has been filed under Section 482 of Cr.P.C , to
call for the records in CC No. 540 of 2022 on the file of the Chief
Metropolitan Magistrate 11 Exclusive Trial of CCB Cases, Egmore, Chennai
- 08 and quash the charge against the petitioner/accused -2.

For Petitioner : Mr.V.Balamurugan

For Respondents : Mr.S.Vinoth Kumar,

Govt. Advocate (Crl. Side) for R1



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R2- No appearance

ORDER

The petitioner herein filed this petition to call for the records in CC No. 540 of 2022 on the file of the Chief Metropolitan Magistrate 11 Exclusive Trial of CCB Cases, Egmore, Chennai - 08 and quash the charge against the petitioner/accused -2.

2. Heard both sides.

3. The petitioners are ranked as A1 and A3 to A6 in the final report in C.C.No. 540 of 2022 on the file of Special Metropolitan Magistrate for CCB-CBCID Cases, Egmore, Chennai, which was lodged for the offence under Sec.294(b), 406, 420 r/w 34 of I.P.C. based upon the complaint given by Central Crime Branch-I, EDF-1 Wing, Vepery, Chennai. Originally, the complaint was filed by one P.Prema stating that she along with 7 others purchased a house plot from one Rangan, who is arrayed as A2 through A1 Ravindran. A2 claimed himself as owner of property situated at Survey No.301/2B, an extent of 63 acres situated at Palanthandala Village, Sriperumbudur Taluk, Kancheepuram District. A1 Ravindran is the power of attorney of A2. The other petitioners A3 to A6 are attesting witnesses and



mediators. After the purchase of property, when they attempted to get patta, they came to know that property is not belong to A2 and the property in Survey No.301/2 belong to Ashok Leyland. By suppressing the real ownership and by giving false promise, they have collected a sum of Rs.87,69,800/-. Therefore, they gave a complaint and the final report was filed under Sec.294(b), 406, 420 r/w 34 of I.P.C. Challenging the said final report, now the petitioners approached this court to quash the same.

4. The learned counsel for petitioner would submit that the petitioner has been falsely implicated in this case by the 1 st respondent police. In fact, the final report filed by the prosecution without examining the revenue officials, which itself clearly shows that they have not committed any offence. Further, there is a false information that the property belong to Ashok Leyland. Therefore, the petitioner has not committed any offence of cheating or any other offence as alleged by the 1 st respondent police. Hence, he prayed to quash the proceedings initiated against them.

5. By way of reply, the learned Government Advocate (Criminal side) appearing for 1 st respondent would submit that the land is not belong to A2, but by giving false information and impersonated himself as a owner of property, he has collected nearly about a sum of Rs.87 lakhs from the victims and sold the property to innocent purchasers. In fact, the said survey



number is not belong to A2, which is belong to Ashok Leyland. Hence, he raised strong objections and prayed to dismiss this petition.

6. On seeing entire facts, it reveals that the final report was filed against all the accused, which needs detailed trial and evidence. Therefore, I am not inclined to quash the proceedings initiated against the petitioners and I do not find any irregularity in the charge sheet filed against them. Accordingly, this Criminal Original Petition is dismissed. However, liberty is granted to the petitioners to raise all their defence before the trial court. Consequently, connected Criminal Miscellaneous Petition is closed.

20.03.2024

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To
The Public Prosecutor, High Court, Madras.

T.V.THAMILSELVI, J.

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