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Crl.O.P.No.23497 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.23497 of 2024

and

Crl.M.P.No.13300 of 2024

1.Kantha

2.Shanmugam

... Petitioners

Vs.

1.State Rep. By

The Inspector of police,

Vikravandi Police Station,

Villupuram

(Crime No.422 of 2023)

2.Muthulakshmi

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, pleaded to call for the records and quash the First Information Report in Crime No. 422 of 2023 pending investigation on the file of the 1st respondent police .

For Petitioners : Mr.T.Sai Krishnan

For R1 : Mr.S.Udayakumar
Government Advocate (Crl.Side)

ORDER



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This Criminal Original Petition is filed to quash the Crime No.422

of 2023 on the ground that the complaint is given on an imaginary agreement as if the complainant's land measuring 2 cents given to the petitioner herein for obtaining EB service on condition that the land will be returned back to the complainant after one year. Without any agreement as alleged in the complaint, the respondent police has registered the FIR for offence under Sections 406 & 506(i) IPC, contrary to the fact that the petitioner had purchased the property from the defacto complainant as early in the year 1999 for a sale consideration of Rs.6,000/- and the sale deed dated 17.03.1996 is duly registered as document No.338 of 1999 at SRO, Vikravandi.

2. This Court, on perusing the averments *prima facie*, satisfied that the complaint of Muthulakshmi is bereft of truth. However, it is appropriate to direct the respondent police to verify and scrutiny of those documents and file report based on the material collected in the course of the investigation.

3. Therefore, for the said purpose, this Criminal Original Petition is disposed of with direction to the respondent police to call the



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petitioner for enquiry and peruse the sale deed executed by the complainant, EB connection obtained by the petitioner and the nature of the complaint given by the defacto complainant and file report within a period of one month. Consequently, the connected Criminal Miscellaneous Petition is closed.

25.09.2024

Index : Yes/No
Neutral Citation : Yes/No
rpl

To

1.The Inspector of police,
Vikravandi Police Station,
Villupuram

2.The Public Prosecutor,
High Court of Madras,
Chennai.

Dr.G.JAYACHANDRAN,J.

rpl



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