



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2024

CORAM:

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

CRL.OP No. 27872 of 2022

& CrI.MP.No. 17105 of 2022

S.Velliyangiri

...Petitioner

Vs.

1 The State,
Rep by the Inspector of Police,
DCB Police Station,
Erode District.

2 Subramaniam

...Respondents

PRAYER : This petition has been filed under Section 482 of Cr.P.C , to
Call for the entire records pursuant to the C.C No. 403 of 2019 on the file of
the Chief Judicial Magistrate, Erode and quash the same by allowing this
criminal original petition.

For Petitioner : Mr.N.Chinnaraj

For R1 : S.Vinoth Kumar

Government Advocate (Crl.side)



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ORDER

The petitioner herein filed this petition to Call for the entire records pursuant to the C.C No. 403 of 2019 on the file of the Chief Judicial Magistrate, Erode and quash the same.

2. The learned counsel for the petitioner submits that the case of the prosecution is that by suppressing the civil suit the property was sold to the defacto complainant at the instigation of the accused 3, 4 and 5 who are brother of A1 also colluded with them and cheated the defacto complainant as there is no material against the petitioner has been falsely implicated in this case. Hence, he prayed to allow this petition. According to the petitioner, he was not aware of the civil suit pending between the A1 and A2 and others in O.S No. 20 of 2008 he only identified accused to the defacto complainant except that he has no other role in selling the property.

3. The Government Advocate (crl. side) raised objection stating that suppressing the civil suit the petitioner knowingly sold the property to the defacto complainant. Besides, the petitioner and A4 are land brokers who persuaded the defacto complainant to buy the said property. Therefore, the fact reveals that there was a collusion between the accused persons.



Furthermore, as per the statement of the defacto complainant the petitioner is a land broker who played main role in the crime which needs detailed investigation. Accordingly, this petition is dismissed. No Costs. Consequentially, connected miscellaneous petition is closed.

05.03.2024

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To
The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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