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Crl.O.P.(MD)No.2116 of 2024

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.2116 of 2024
and Crl.M.P(MD).Nos.1607 and 1608 of 2024

1.P.Kannan
2.P.Meenatchi
3.P.Muthulatchmi
4.P.Malarkodi
5.K.Ananthakumar
6.Sampath

.. Petitioners

Vs.

1.State rep., by
The Inspector of Police,
District Crime Branch,
Madurai District.
Crime No.93 of 2013

2.Ammavasi

.. Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the impugned charge sheet in CC.No.343 of 2023 on the file of the learned Judicial Magistrate No.I, Madurai District and quash the same as against the petitioners.

For Petitioners	: Mr.P.Saravanakumar
For R1	: Mr.K.Sanjai Gandhi
	Government Advocate (Crl.side)
For R2	: Mr.G.Sakthi Rao



ORDER

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The petitioners, who are A1 to A6 in CC.No.343 of 2023 and facing trial for the offence under Sections 120B, 468, 471 and 420 of IPC, had filed this quash petition.

2. The case projected against the petitioners is that the first and second petitioners are the son and mother, third and fourth petitioners are sisters of first petitioner and they joined together along with petitioners 5 and 6, conspired and created a forged document in Doc.No.2194 of 2008 and thereby, using the document had attempted to usurp the property of the defacto complainant. In this case, in the year 1962, one Subbaiah, S/o.Kuppaiyandi belongs to Vilaseri Village and his son were employed as Thattanur Village Assistant, at that time, they have tampered with revenue records and in the A-Register, the name of Kuppaiyan alone had been registered, thereafter, based on which, forged document have been created. This deletion of Kuppaiyandi has been made, so that in a later date the revenue document can be altered and tampered with and successfully done so, they created forged document and enjoyed the property. The defacto complainant later coming to know about the forgery committed by the



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accused, had a lodged complaint. On receipt of the complaint, the respondent police had registered a case and enquired witnesses and listing L.W.1 to L.W.8 had filed final report. In this case, L.W.1 is the defacto complaint, L.W.2 is the relative of defacto complainant, L.W.3 and L.W.4 are the signatories to the forgery document, L.W.5 is the SRO, who registered the document, L.W.6 is the Superintendent of Police worked in the Collectorate, who had produced all the revenue records and also spoken about the correction, manipulation and interpretation made in the revenue records, L.W.7 is the SI, who had registered complaint and L.W.8 is the other investigating officer. The petitioners are all from the same family and they had conspired and created forgery document and tampered with revenue records and thereafter, attempted to take away the defacto complainant's property. Further, there are documents, which are clear points towards the accused. Hence, points raised by the petitioners to be decided during trial, not in the quash petition.

3. Heard both sides and perused the materials placed.

4. It is seen that the points raised by the petitioners are factual in nature, which cannot be decided in quash petition. In view of the same,



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this Court is not inclined to entertain this petition. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

06.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
Rmk

To

- 1.The Inspector of Police,
District Crime Branch,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

Rmk

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