



CrI.O.P.(MD)Nos.5634, 7056 & 7138 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.(MD)Nos. 7056, 7138 & 5634 of 2022

and

CrI.MP(MD)Nos.4851, 4906 & 4014 of 2022

1.Balamurugan	... Petitioner/Accused No.18(1) (In CrI.O.P.(MD)No.7056 of 2022)
2.Nathiya	... Petitioner/Accused No.18(2) (In CrI.O.P.(MD)No.7056 of 2022)
Dr.Lakshman Kumar	... Petitioner/Accused No.15 (In CrI.O.P.(MD)No.7138 of 2022)
D.Kalyani	... Petitioner/Accused No.19 (In CrI.O.P.(MD)No.5634 of 2022)

Vs.

1.The Inspector of Police District Crime Branch, Thanjavur Police Station, Thanjavur District. In Crime No.4 of 2022.	... 1 st Respondent/Complainant (In all cases)
2.Kalyanaraman	... 2 nd Respondent/Complainant (In all cases)



Crl.O.P.(MD)Nos.5634, 7056 & 7138 of 2022

COMMON PRAYER:- Petitions filed under Section 482 of Cr.P.C., to call for the records pertaining to the Crime No.4 of 2022 dated 05.03.2022 on the file of the first respondent police, Thanjavur District and quash the same as illegal insofar as the petitioners/A19, A18(1), A18(2) & A15 are concerned.

(In all Cases)

For Petitioner	: Mr.Ajmal Khan Senior Counsel for Mr.R.Anandharaj
For R1	: Mr.B.Nambiselvan Additional Public Prosecutor
For R2	: Mr.A.Arun Prasad

COMMON ORDER

These petitions have been filed seeking quashment of FIR in Crime No.4 of 2022 dated 05.03.2022 on the file of the first respondent police, Thanjavur District.

2.The case of the prosecution is that the petitioners are the subsequent purchasers. They *bona bidely* purchased the property from the vendor. For the very same issue, already, the defacto complainant made a complaint before the District Registrar, Thanjavur, under Section 77A of the Registration Act and the same was ended as against the defacto complainant. Against which, the defacto complainant filed an appeal before the Appellate Authority for the very same set



Crl.O.P.(MD)Nos.5634, 7056 & 7138 of 2022

of allegation. He also made a complaint before the Law Enforcing Agency for the very same issue. The Law Enforcing Agency cannot be adjudicated the issue since already the District Registrar, Thanjavur directed the parties to approach the competent civil Court for appropriate remedy.

3.However, the learned counsel appearing for the petitioners would submit that this Court may issue a direction to the Investigating Officer to conclude the investigation and permit the petitioners to produce the order passed by the Deputy Registrar, Thanjavur under Section 77A of the Registration Act before the Investigating Officer. Thereafter, the Investigating Officer may consider the same and pass appropriate orders.

4. The learned counsel appearing for the private respondent would submit that this Court may issue a direction to the Law Enforcing Agency to conclude the investigation within the time stipulated by this Court.

5. The learned Additional Public Prosecutor appearing for the State would submit that already the co-accused (A3) has approached this Court by way of filing Crl.OP(MD)No.5641 of 2022. This Court, by its order dated 28.03.2022, issued a direction to the respondent police to complete the investigation and filed a final report.



Crl.O.P.(MD)Nos.5634, 7056 & 7138 of 2022

6. In view of the same, without expressing any opinion on the merits of the case, this Court granted liberty to the petitioners to produce the order passed by the Deputy Registrar, Thanjavur. Upon perusal of the order, the Law Enforcing Agency is directed to conclude the investigation within a period of 6 weeks from the date of receipt of a copy of this order.

7. With the above direction, these Criminal Original Petitions are disposed of. Consequently, the connected miscellaneous petitions are closed.

26.02.2024

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
dss

To

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



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Crl.O.P.(MD)Nos.5634, 7056 & 7138 of 2022

M.DHANDAPANI, J.

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Crl.O.P.(MD)Nos. 7056, 7138 & 5634 of 2022
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Crl.MP(MD)Nos.4851, 4906 & 4014 of 2022

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