



CrI.O.P.(MD)No.7581 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.(MD)No.7581 of 2022
and
CrI.M.P.(MD)No.5170 of 2022

A.Velmurugan

... Petitioner

Vs.

1.The State Rep.by
The Inspector of Police,
Kannivadi Police Station,
Dindigul District.
(Crime No.28 of 2022)

2.Krishnan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the case in Crime No.28 of 2022 pending on the file of the Inspector of Police, Kannivadi Police Station, Dindigul District and quash the same as against the petitioner.

For Petitioner : M/s.Moushica,
for M/S.Anand.R.



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For R1 : Mr.B.Nambiselvan,
Additional Public Prosecutor.

For R2 : Mr.A.Chandrakumar

ORDER

This Criminal Original Petition has been filed to quash the first information report in Crime No.28 of 2022 pending on the file of the Inspector of Police, Kannnivadi Police Station, Dindigul District.

2.The case of the prosecution is that one Jerold informed the second respondent that he is willing to purchase his land. Believing the same, on 08.02.2021, the second respondent entered into an sale agreement by fixing sale consideration Rs.23,00,000/- per acre, totally a sum of Rs.1,19,60,000/- for 5 acres. The said Jerold informed that if total sale consideration is registered, he will have income tax problem and hence, he requested the second respondent to have the agreement in the name of the petitioner herein without registration. Believing the same, the sale agreement was registered for the government guideline value Rs.90,00,000/- and for balance sale consideration, they have entered into



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an unregistered agreement. As per the agreement, within three months he have to settle the balance sale consideration. However, the said Jerold refused to the same. Thereafter, the said Jerold and the petitioner herein trespassed into the second respondent's place and damaged three houses, worth about Rs.10,00,000/- and also threatened the second respondent to vacate the place. Hence, the second respondent preferred a complaint. Based on the complaint, the first respondent registered FIR in Cr.No.28 of 2022 for the offence punishable under Sections 143, 447, 427 and 506(i) IPC. Challenging the same, the present petition has been filed.

3.The learned counsel appearing for the petitioner would submit that the petitioner also preferred a complaint as against the second respondent. He would further submit that the Sub Inspector of Police, attached to the first respondent Police Station, demanded bribe from the petitioner and hence, this Court may issue a direction to the Inspector of Police to appoint a fit person to complete the investigation in both cases.

4.The learned counsel appearing for the second respondent have no serious objection for issue such direction.



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5. In view of the above, this Court directs the first respondent to appoint a fit person to conduct investigation in both cases and the investigation shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

27.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.

- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

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