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Crl.O.P.(MD) No. 5516 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No. 5516 of 2024

N.Kannappan

...Petitioner/Accused-2

Vs

1.State rep. by
Inspector of Police,
Anti-Land Grabbing Special Cell,
Ramanathapuram.
(Cr.No.3 of 2019)

2. R.Vivekanandan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in CC.No.479 of 2023 on the file of the learned Judicial Magistrate No.II, Ramanathapuram and quash the same in respect of the petitioner.



Crl.O.P.(MD) No. 5516 of 2024

For Petitioner : Mr.K.Kumaravel

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

ORDER

The petitioner has filed this petition, seeking to quash the proceedings in C.C.No.479 of 2023 on the file of the learned Judicial Magistrate-II, Ramanathapuram.

2.The case of the prosecution is that the petitioner, a document writer, has involved in creating false documents.

3.The learned Counsel for the petitioner submitted that the petitioner is expected to prepare the documents based on the information provided to him and he is not expected to find out the genuineness of the documents. However, the respondent police, without ascertaining the same has foisted a false complaint and the final report has also been mechanically filed against



Crl.O.P.(MD) No. 5516 of 2024

the petitioner.

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4.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the Investigation Agency has collected enough materials as against the petitioner. Also, he submitted that the petitioner is habitually doing this offence and three cases have been registered against him in that regard. Apart from this case, in yet another case, final report has been filed against him.

5.This Court considered the rival submissions made.

6.The Petitioner, a document writer, has been permitted to prepare the documents since he possess a qualification for preparing the documents. Not all persons are permitted to prepare the documents. The petitioner, knowing the procedure for preparing the documents, has violated the same by creating false documents. He is a licensed document writer and he cannot plead innocence by stating that he would mechanically prepare the documents based on the materials produced by the parties.



Crl.O.P.(MD) No. 5516 of 2024

7. Be that as it may, though the petitioner has raised several grounds, this Court is of the opinion that it can be appreciated only during the trial.

Therefore, this Criminal Original Petition is dismissed, with liberty to the petitioner to raise all the grounds before the trial Court.

NCC : Yes/No

18.04.2024

Internet: Yes/No

Index: Yes/No

jbr

To

1. The Inspector of Police,
Anti-Land Grabbing Special Cell,
Ramanathapuram.

2. Inspector of Police,
District Crime Branch/Anti-land Grabbing Special Cell,
Ramanathapuram.

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



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Crl.O.P.(MD) No. 5516 of 2024

B.PUGALENDHI, J.

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CRL.O.P (MD) No. 5516 of 2024

18.04.2024