

Crl. O.P. No. 7197 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 15.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. O.P. No. 7197 of 2025

and

Crl. M.P. No. 4561 of 2025

V. Manjunatha Reddy

... Petitioner

Vs

1.The State Represented by
The Inspector of Police,
Nallur Police Station,
Krishnagiri District.
(Crime No. 149 of 2024)

2.D. Mohandoss

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to call for the records relating to the impugned FIR in Crime No.149 of 2024 on the file of the 1st respondent and quash the same.

For Petitioner : Mr. N. Manoharan

For Respondents : Mr. A. Gopinath, for R1
Government Advocate (Crl. Side)
No Appearance for R2



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ORDER

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This Criminal Original Petition has been filed to quash the FIR registered in Crime No. 149 of 2024 on the file of the first respondent.

2. The case of the prosecution is that the second respondent is the Manager of VGP Golden Resort International Pvt. Ltd., who had purchased an extent of 1.14 acres comprised in S.F.No.973/3A, Nallur Village, Hosur Taluk, Krishnagiri District by way of a sale deed dated 30.03.1995 (Doc. No. 1811/1995) executed by M/s.V.G. Paneerdas and Co., as the power agent of the original owner Gowrammal, W/o. Venkatachala Reddy. It is alleged that on 13.12.2024 at 1.00 p.m., the petitioner and two others committed trespass into the property, assaulted the watchman, damaged the compound wall to the length of 200 feet and also intimidated the watchman with dire consequences.

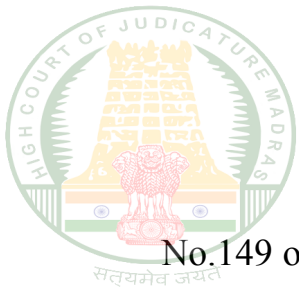
3. Learned counsel for the petitioner would submit that the second respondent is not the owner of the entire extent of the property measuring 3.42 acre comprising S.F. No. 972/3A. Infact, they had purchased only to the extent of 1.14 acres in S.F.No.973/3A. Both the properties are completely different



one. Whereas, the petitioner claimed a subject property and title over the subject property of his father, Venkatachala Reddy, who got married with one Gowrammal. However, they had no issues. Therefore, the said Venkatachala Reddy got married with the petitioner's mother and gave birth to 4 children.

4. The first wife owned property of 3.42 acres comprising in S.F.No.972/3A. While being so, the second respondent encroached into the said property and put a compound wall. While being so, the said Gowrammal died on 04.01.2020 leaving behind the children born through 2nd wife of Venkatachala Reddy. The petitioner's siblings had executed Release Deed dated 09.03.2023, thereby relinquished their shares in favour of the petitioner. Thereby, the petitioner has become absolute owner of the extent of S.F.No.972/3A.

5. While being so, the second respondent and his employer had prevented the petitioner from enjoying the subject property, in which, the petitioner lodged complaint before the first respondent. On receipt of the same, the petitioner was issued C.S.R.No.129 of 2024 dated 12.12.2024. Thereafter, the second respondent lodged complaint and the same got registered in Crime



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No.149 of 2024.

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6. Though notice was served to the second respondent and his name is printed in the cause list, none has entered appearance.

7. It is seen that the entire allegations are civil in nature. According to the second respondent, the subject property owned by them, whereas, according to the petitioner the entire extent of the property owned by him. Therefore, the second respondent ought to have approach the civil Court for appropriate relief and no offence is made as against the petitioner as per the FIR.

8. In view of the above, FIR cannot be sustained and liable to be quashed.

9. Accordingly the FIR in Crime No.149 of 2024 on the file of the first respondent, is hereby quashed and this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

15.04.2025

Index: Yes/No

Neutral Citation : Yes/No

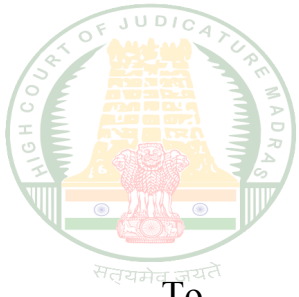
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To
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- 1.The Inspector of Police,
Nallur Police Station,
Krishnagiri District.
- 2.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J,

AT

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