



Crl.O.P.No.13980 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

**Crl.O.P.No.13980 of 2025
and
Crl.M.P.No.9410 of 2025**

Gandhimani
Sub Registrar,
Nalur,
Tiruppur District,
Now, the Sub Registrar,
Palladam Sub Registration Office,
Tiruppur District.

... Petitioner

Vs

S.Jayanthi

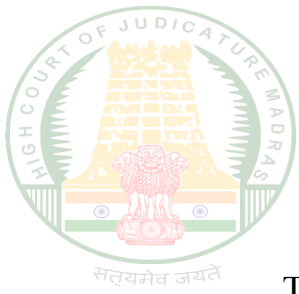
... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of BNSS 2023, to call for the records pertaining to the case in C.C.No.764 of 2023 pending on the file of the Judicial Magistrate No.IV Court, Tiruppur and to quash the same.

For Petitioner : Mr.T.Balaji

For Respondent : Mr.K.Myilsamy

ORDER



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This Criminal Original Petition has been filed to call for the records pertaining to the case in C.C.No.764 of 2023 pending on the file of the Judicial Magistrate Court No.IV, Tiruppur and to quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent and perused the materials available on record.

3. Learned counsel for the petitioner submitted that the petitioner is working as Sub-Registrar. As per Section 197 Cr.P.C., prior sanction for prosecution is mandatory for filing a complaint against any official, during the course of official duty. Whereas, in this case, no prior sanction is obtained. Hence, the complaint itself is vitiated and on that ground, the complaint may be quashed. Further, he submitted that the allegations made against the petitioner are vague and no specific material is available to show that the petitioner has forged the document. Hence, the petitioner prayed to quash the said C.C.No.764 of 2023. The learned Magistrate failed to consider the legal position and took cognizance of



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the case, which is illegal.

4. On a perusal of the records, it is seen that the respondent preferred a complaint against the petitioner in C.C.No.764 of 2023 on the file of the Judicial Magistrate Court No.IV, Tiruppur. Further, it is seen that there are *prima facie* materials available as against the petitioner. The grounds taken by the petitioner are nothing but defence and the same can be agitated during the course of the trial before the trial Court.

5. In view of the above, C.C.No.764 of 2023 on the file of the Judicial Magistrate Court No.IV, Tiruppur cannot be quashed and this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

23.06.2025

mfa

Index: Yes/No

Neutral Citation: Yes/No

To



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The Judicial Magistrate No.IV
Judicial Magistrate No.IV Court, Tiruppur



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P.VELMURUGAN, J

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