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Crl.O.P.No.20600 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No. 20600 of 2025

and

Crl.M.P.N.14231 of 2025

1. Eganadane
S/o.Saravabavane

2. Wg Cdr Selvaraj Raj (Vayu Sena Medal)
S/o.S.Selvaraj

... Petitioners

Vs.

1. The Inspector of Police,
Grand Bazar Police Station,
Jawaharlal Nehru Street,
Puducherry – 605 001.

2. The Superintendent of Police (East)
Grand Bazaar Police Station,
Jawaharlal Nehru Police Station,
Puducherry – 605 001.

3. SGASI V Loganathan
Grand Bazaar Police Station,
Jawaharlal Nehru Street,
Puducherry – 605 001.

4. Kumaravelu

... Respondents



CrI.O.P.No.20600 of 2025

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to call for the records and quash the FIR dated 27.05.2025 in Crime No.119 of 2025 pending on the file of the 1st respondent-Police.

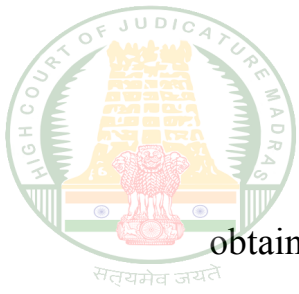
For Petitioners : Ms.Kavitha Y.
for M/s.PVS Giridhar Associates

For Respondents : Mr.K.S.Mohandass
Public Prosecutor (Puducherry)
assisted by Mrs.N.Danalatchumy
for R1 and R2

ORDER

This Criminal Original Petition is filed to quash the FIR dated 27.05.2025 in Crime No.119 of 2025 pending on the file of the 1st respondent-Police.

2. According to the petitioners, the second petitioner is absolute the owner of the property situate in Village No.40, Puducherry Town, Madha Koil Street (Mission Street) at Ward C, Block No.17, T.S.No.125 A, R.S.No.239, Puducherry and he has filed a suit in O.S.No.202 of 1988 for specific performance of sale agreement dated 28.05.1987 and the same was decreed in his favour on 08.10.1991. As the judgment debtors failed to abide by the decree, the second petitioner filed E.P.No.210 of 1999 before the Additional Sub Judge, Puducherry for



CrI.O.P.No.20600 of 2025

obtaining sale deed. A sale deed too was executed on 03.04.2019 by the execution Court. The judgment debtors also filed E.A.No.580 of 2004 and the same was dismissed and as against the dismissal order, the judgment debtors filed C.R.P.No.3088 of 2019 before this Court. This Court, *vide* order dated 30.08.2024 dismissed the said petition. After obtaining judgment in his favour, the second petitioner is in peaceful possession and enjoyment of the subject property. However, the fourth respondent herein/*de-facto* complainant, who aware that the dispute is of civil in nature, settled finally, in favour of the second petitioner herein, has filed a false complaint against the petitioners alleging that he is the owner of the subject property and the petitioners are trespassed into the property and caused damage. The first respondent-Police had registered a case in Crime No.119 of 2025 dated 27.05.2024 against the petitioners for the alleged offences punishable under Sections 329(4), 324(4), 49 and 3(5) of BNS, 2023. He further submitted that the third respondent in collusion with the *de-facto* complainant, had registered a false complaint and hence, the FIR may be quashed in *limine*.

3. Learned Public Prosecutor (Puducherry) appearing for the respondents 1 and 2/Police, on instructions, submitted that during the



CrI.O.P.No.20600 of 2025

investigation in Crime No.119 of 2025, the first respondent-Police collected certain documents from the petitioners and the same were sent to the Registration Department to find out the genuineness of the said documents and investigation is in a preliminary stage and hence, the Criminal Original Petition may be dismissed.

4. Considering the facts and circumstances of the case and also considering the submissions of learned counsel on either side, this Criminal Original Petition is dismissed with a direction to the first respondent-Police to expedite the investigation and complete the same as expeditiously as possible. In case, if the first respondent-Police finds that the dispute between the parties is a civil in nature, they can close the complaint and file a closure report before the jurisdictional Court or if *prima facie* allegations are made out they can complete the investigation and file a final report/charge sheet within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

23.07.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

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High Court, Madras.



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Crl.O.P.No.20600 of 2025

P.VELMURUGAN, J

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Crl.O.P.No.20600 of 2025

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