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Crl.O.P.No.19562 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.06.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.19562 of 2023

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B.Manjula Bala Gourou, W/o Bala Gourou

.. Petitioner

Vs.

1. State, rep. by The Inspector of Police,
H-1, Washermenpet Police Station,
Chennai (Cr.No.235 of 2023)

2. S.Meerabai, W/o Subramani

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in Crime No.235 of 2023 on the file of the first respondent-Police and quash the same.

For petitioner : Mr.C.S.Dhanasekaran for M/s.G.S.Vivekanandan

For respondents: Dr.C.E.Pratap, Govt. Advocate (Crl. Side) for R.1

No appearance for R-2

ORDER

This petition is filed to call for the records in Crime No.235 of 2023 on the file of the first respondent-Police and quash the same.

2. Despite service of notice on the private respondent (second respondent), and his name is also being printed in the cause list, none appears. Heard the learned



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

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3. The learned counsel for the petitioner submitted that a partition suit is pending between the parties and there is also a prayer for rendition of accounts. The petitioner has also got equal share in the properties in question. There is a rental agreement with the tenants and therefore, the dispute is purely civil in nature. The ingredients of the alleged offences are made out and hence, the FIR may be quashed.

4. On a reading of the FIR and also the decree passed by the Civil Court in the suit, this Court finds that there is some dispute between the parties, which is civil in nature and the same is given a criminal colour. In the above circumstances, there are no materials prima-facie to investigate the matter. Hence, the FIR is quashed. This petition is allowed accordingly.

10.06.2025

CS

To

1. The Inspector of Police,
H-1, Washermenpet Police Station,
Chennai (Cr.No.235 of 2023)
2. The Public Prosecutor, High Court, Madras.

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