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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-03-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP NO. 1507 of 2025

&

CRL MP NO. 918 OF 2025

1.Gurusamy
2.G.Alagulakshmi
3.Vetrivel

Petitioner(s)

Vs

1.Inspector Of Police
J-13, Taramani Police Station, Velachery, Chennai
600042
(Crime No 142 Of 2024)

2.Mr.Sudhakar

Respondent(s)

PRAYER:

This Petition has been filed under Section 528 of the BNS, to call for the records in Crime no.142/2024/FIR No.142/2024 on the file of the Inspector of Police, J-13, Taramani Police Station and to quash the same.



For Petitioner(s):

S.Thiruvengadam

For Respondent(s):

R.VinothRaja Government Advocate Criminal Side for
R1

R2 Served - No Appearance

ORDER

This Petition has been filed seeking to call for the records in Crime no.142/2024/FIR No.142/2024/FIR No.142/2024 on the file of the Inspector of Police, J-13, Taramani Police Station and to quash the same.

2.The first respondent registered an FIR in crime no.142/2024 for the offences under Sections 406, 420, 468 & 471 of IPC against the petitioners, alleging that the second respondent had purchased two house sites allotted in favour of A1 and A2 bearing Plot nos.449 & 450 by a registered sale deed. Thereafter, both the plots were leased out in favour of the third accused. In turn, the third accused received a huge advance and gave possession and leased out the same in favour of a third party. When it was questioned by the second respondent, the third accused threatened him with dare consequences. According to the second respondent, the subject properties have already had been purchased by him by a sale deed and consequently



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leased out to A1 & A2. There is absolutely no allegation as against the petitioners to attract the offence under Section 171 IPC.

3.The learned counsel for the petitioners would submit that the petitioners had sold out the subject property in favour of the second respondent. The subject property was allotted in their favour by the Slum Clearance Board and they are in possession and enjoyment of the said property. In order to grab the said property, the second respondent foisted a false complaint that he had leased out the subject property in favour of Vetrivel, 3rd respondent.

4.The learned Government Advocate(Crl.side) would submit that the second respondent produced an unregistered sale deed as the subject properties were sold out by the petitioners in favour of the second respondent. Therefore, the present FIR intends to clear abuse of process of law and it cannot be sustained to proceed further.

5.Accordingly, this Criminal Original Petition is allowed and the FIR in Crime no.142/2024/FIR No.142/2024 on the file of the Inspector of



Police, J-13, Taramani Police Station is hereby quashed.

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To
1. Inspector Of Police
J-13, Taramani Police Station,
Velachery, Chennai 600042
Crime No 142 Of 2024
2. SUDHAKAR
S/o Rajaputhiran,
No 114, Thilagar Avenue,
Madipakkam
Chennai



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G.K. ILANTHIRAIYAN.J.,
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Crl OP.No.1507 of 2025

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