



Crl.OP.No.20330 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.20330 of 2023

and

Crl.MP.No.13830 of 2023

1. Durai
2. Saravanan
3. Ramesh
4. Arulmani

... Petitioners

Vs.

1. State rep by
The Inspector of Police,
Mecheri Police Station,
Salem District.

2. Palanisamy

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records on the file of the first respondent and quash the first information report registered on the file of the first respondent in Cr.No.340 of 2023.

For Petitioners : Mr.V.Parthiban

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side)
for R1



Crl.OP.No.20330 of 2023

WEB COPY

ORDER

This petition has been filed to quash the FIR registered in Cr.No.340 of 2023 on the file of the respondent police .

2.The case of the prosecution is that the second respondent and his wife Amutha are the joint owners of the property in Survey Nos.273/2, 278/1, 274/1A to the extent of three acres. When they sought loan for the said property, A1 Kannan and A2 Palanisamy have promised to arrange loans and introduced A3/the first petitioner herein and A4 Murugan on 28.08.2020. Then, the said A3 and A4 asked to sell the lands to A5 Saravanan/the second petitioner herein. The second respondent has believed and executed a sale deed along with his wife on 09.09.2020 for Rs.67,82,000/- but, the money was not given to him and his wife. The petitioners 3 and 4 are witnesses of the said sale deed. When he demanded money, the accused persons 3, 4, 5 and 8 were demanded money of Rs.40,00,000/- . On 22.10.2020, the second petitioner/A5 had purchased 1.5acres of land for Rs.20,00,000/- from the second petitioner/A5 through registered sale registered on the file of the Sub Registrar, Mecheri.



Crl.OP.No.20330 of 2023

WEB COPY

3. The further case of the prosecution was that the wife of the second petitioner Amutha was also purchased the remaining area of 1.5 acres from the second petitioner (A5) by a sale deed dated 29.01.2021 for the sale value of Rs.20,00,000/- which was registered on the file of the Sub Registrar, Mecheri. Hence, the second respondent lodged a complaint alleging that eighth accused have not paid money and cheated him and his wife.

4. On the complaint lodged by the second respondent, the first respondent registered an FIR against the petitioners in Cr.No.340 of 2023 for the offence punishable under Sections 120(b), 406, 420 and 506(ii) of IPC.

5. The learned counsel appearing for the petitioners submits that even according to the case of the second respondent, selling the property, the petitioner had failed to pay the entire sale consideration.

6. In view of the above, mere keeping the FIR pending would not serve any purpose. In order to meet the ends of justice, this Court is inclined to quash the FIR. Accordingly, the FIR registered in Crime No.340 of 2023 on the file of the first respondent police is



Crl.OP.No.20330 of 2023

hereby quashed and this Criminal Original Petition is allowed.

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Consequently, the connected miscellaneous petition is closed.

08.04.2025

Vv

To

1. The Inspector of Police,
Mecheri Police Station,
Salem District.
2. The Public Prosecutor,
Madras High Court,
Chennai.



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Crl.OP.No.20330 of 2023

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Crl.O.P.No.20330 of 2023

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