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Crl.O.P.No.21478 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 01.08.2025

Coram:

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

Crl.O.P.No.21478 of 2025

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1.Chitra
2.Valarmathi
3.Logeswari

.. Petitioners

Vs.

1.State of Tamil Nadu,
Rep. by its
Inspector of Police,
District Crime Branch,
Land Grabbing Prevention Unit,
Vellore.

2.M.Kalaiarasan

.. Respondents

Criminal Original Petition filed under Section 528 of BNSS, to call for the records in C.C.No.209 of 2023 in FIR No.8 of 2022, dated 02.06.2022 pending on the file of the learned Judicial Magistrate-II, Vellore and quash the same.

For petitioner : Mr.S.Murali Krishnan

For respondents : Dr.C.E.Pratap
Government Advocate (Criminal Side) for R1



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ORDER

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This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.209 of 2023, arising out of FIR No.8 of 2022, pending on the file of the learned Judicial Magistrate–II, Vellore, for offences under Sections 420, 465, 468, and 471 IPC.

2. The prosecution case, in brief, is that the defacto complainant, who is related to the accused, alleged that the petitioners had fabricated a patta in respect of a small extent of land and executed a gift deed in favour of certain family members, thereby encumbering property claimed to belong to the defacto complainant's father. The petitioners contend that the dispute is purely civil in nature, that the alleged settlement deed had already been cancelled before the filing of the complaint, that both families reside in the same house, and that the prosecution is a result of personal vengeance within the family.

3. The learned Government Advocate appearing for the respondent Police would submit that, during the pendency of the case in C.C.No.209 of 2023, the learned Judicial Magistrate, upon perusal of the materials, directed the respondent Police to conduct further investigation, which is presently in progress, and that the final report is yet to be filed.



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4. Considering that the matter is still at the stage of further investigation pursuant to the directions of the learned Magistrate, and that the outcome of such investigation may have a bearing on the present proceedings, this Court is of the view that the relief of quashing cannot be granted at this stage.

5. In the result, this Criminal Original Petition is dismissed. However, the petitioners are at liberty to work out their remedy in the manner known to law after the filing of the final report before the learned Magistrate.

01.08.2025

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Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No



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1. The Judicial Magistrate-II, Vellore
2. The Inspector of Police,
District Crime Branch,
Land Grabbing Prevention Unit,
Vellore.
3. The Public Prosecutor, Madras High Court, Chennai.



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