



Crl.O.P.(MD)No.8204 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.8204 of 2024

and

Crl.M.P.(MD) No.5598 of 2024

1.Adaikappan

2.Chidambaram

... Petitioners

Vs.

1.The Inspector of Police
District Crime Branch,
Sivagangai,
Sivagangai District.
(In Crime No.32 of 2022)

2.Alagappan

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to call for the records in C.C.No.22 of 2024 pending on the file of the Judicial Magistrate No.II, Sivagangai and quash the same.

For Petitioner

: Mr.N.Tamilmani

For R1

: Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side)



CrI.O.P.(MD)No.8204 of 2024

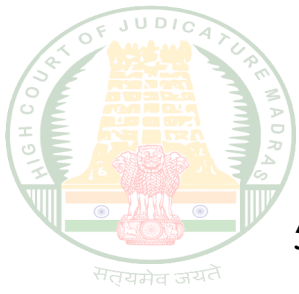
ORDER

WEB COPY The petitioners, who are A1 & A2 in C.C.No.22 of 2024 pending on the file of the Judicial Magistrate No.II, Sivagangai, have filed this petition to quash the said proceedings.

2.The first petitioner is the brother of the second respondent's father. The defacto complainant has lodged a complaint as against the petitioners that they have executed a document by producing a forged legal heir certificate. The first respondent Police has registered a case, conducted investigation and filed final report that by suppressing other legal heirs, a fake legal heir certificate has been obtained and document has been registered.

3.The learned counsel appearing for the petitioners submits that already a civil suit is pending between the parties.

4.The learned Government Advocate(Crl.side) appearing for the first respondent submits that the grounds raised by the petitioners are triable in nature and the same could be appreciated only by the trial Court. Accordingly, he prays to dismiss the present petition.



CrI.O.P.(MD)No.8204 of 2024

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5.This Court considered the rival submissions made on either side

and perused the materials available in the records.

6.Admittedly, a civil dispute is pending between the parties. As rightly pointed out by the learned Government Advocate(Crl.side), the grounds raised in the present petition have to be appreciated only during the course of trial. Therefore, this Court is not inclined to entertain this petition. Accordingly, this criminal original petition is dismissed with liberty to the petitioners to raise all these grounds before the trial Court. Consequently, connected miscellaneous petition is closed.

24.06.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

gns

To

1.The Judicial Magistrate No.II, Sivagangai.

2.The Inspector of Police
District Crime Branch, Sivagangai,
Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.O.P.(MD)No.8204 of 2024

B.PUGALENDHI,J

gns

CrI.O.P.(MD)No.8204 of 2024

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