

Crl.O.P.(MD)No.12449 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12449 of 2025 and
Crl.MP(MD) No.9674 of 2025

Kala

... Petitioner

Vs

1.The State of Tamilnadu,
Rep by the Inspector of Police,
CCB Police Station,
Trichy City.
Crime No.30 of 2022

2.Seethalakshmi

...Respondents

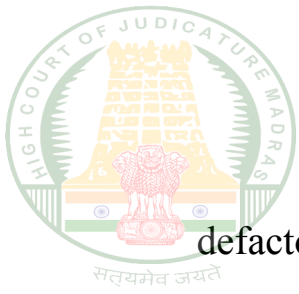
Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the case registered in First Information Report in Crime No.30 of 2022, on the file of the first respondent and quash the same as illegal.

For Petitioner
For R1

: Mr.R.Sangeetha
: Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

The petitioner is the first wife of one Dharmaraj and the



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defacto complainant is the second wife. The said Dharmaraj died on 19.01.2021 due to Covid-19 at abroad. The defacto complainant has lodged a complaint in the month of July-2022, as against this petitioner and other accused that without her knowledge, the property of the Dharmaraj was alienated. The complaint of the defacto complainant was registered in Crime No.30 of 2022, by the respondent police. To quash the above proceedings, the petitioner has approached this Court on the ground that the alienation has been made with the consent of Dharmaraj, even during his life time.

2.Mr.P.Kottaichamy, learned Government Advocate (Crl.side), who takes notice for the first respondent submits that this petitioner has already divorced the said Dharmaraj. The disputed property belongs to Dharmaraj. He was in abroad and died on 19.01.2021 due to Covid-19. Even before that, without the knowledge of Dharmaraj, the accused have created a sale deed on the property of Dharmaraj and therefore the defacto complainant has lodged the above complaint, after his demise. According to him, the investigation in Crime No.30 of 2022 is in the crucial stage. Therefore, he objected for quashing the proceedings in Crime No.30 of 2022.



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3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the first respondent.

4.The grounds raised by the petitioner cannot be considered for quashing the first information report. However, the respondent police shall consider the grounds raised by the petitioner during the course of investigation, find out the truth and file the final report. In the event, if the petitioner is having any ground to challenge the final report, it is open to the petitioner to challenge the same, in the manner known to law.

5.With such liberty, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is also closed.

24.07.2025

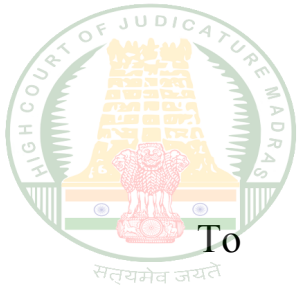
NCC : Yes/No
Index : Yes/No
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To

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The Inspector of Police,
CCB Police Station,
Trichy City.



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B.PUGALENDHI,J

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Order made in
CrI.OP(MD)No.12449 of 2025 and
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