



Crl.O.P.(MD)No.10259 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.10259 of 2025
and
Crl.M.P.(MD)No.7641 of 2025

Thiyagarajan

... Petitioner

Vs.

1.The Inspector of Police,
CCB-III, Madurai City.
(Crime No.53 of 2024)

2.Ragunath

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to call for the entire records pertaining to the case in Crime No.53 of 2024 on the file of the Inspector of Police, CCB-III, Madurai City and quash the same as against the petitioner.

For Petitioner

: Mr.R.Anand

For R1

: Mr.P.Kottaichamy,
Government Advocate(Crl.side)



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ORDER

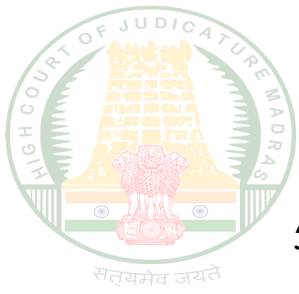
The petitioner, who is A1 in Crime No.53 of 2024 on the file of the first respondent Police, has filed this petition to quash the said proceedings.

2.The learned counsel appearing for the petitioner submits that A2 & A3 in this case have filed a petition before this Court in Crl.O.P. (MD)No.21211 of 2024 seeking anticipatory bail. This Court while dismissing the said application vide order dated 18.12.2024, directed the Commissioner of Police to appoint an honest Investigation Officer to investigate this case and to monitor the investigation. According to the learned counsel appearing for the petitioner, the orders of this Court has not been adhered by appointing an appropriate Officer for investigation in Cr.No.53 of 2024. Therefore, the petitioner claims that the FIR, which is pending as against him in Cr.No.53 of 2024 needs to be quashed. According to the learned counsel for the petitioner, the petitioner has nothing to do with the alleged life certificate.



WEB COPY 3.The learned Government Advocate(Crl.side) appearing for the first respondent submits that they have examined 14 witnesses and they have collected the forged life certificate and the same has also been sent to the Forensic Department for verification on 28.02.2025. The Forensic Department has raised certain queries and asked for certain other details and the same were complied with and resubmitted to the Forensic department and they are awaiting for Forensic report. Depending upon the report from the Forensic Department, they would take further course of action. The learned Government Advocate(Crl.side) points out that the Doctor who signed the subject life certificate has been examined and his statement was recorded. According to the Doctor, the signature found in the forged life certificate is not that of him and therefore, according to the learned Government Advocate(Crl.side), there are enough material as against the accused and the investigation is in crucial stage and therefore, on this ground the case cannot be quashed.

4.This Court has considered the rival submissions made on either side and also perused the materials available in the record.



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5.The grievance of the petitioner is that the Commissioner of Police, Madurai has not identified an honest Officer for conducting the investigation in Cr.No.53 of 2024 as directed by this Court in Crl.O.P. (MD)No.21211 of 2024.

6.The other ground raised by the petitioner is that the A2 & A3 are the main accused who created the document and this petitioner has nothing to do with the document.

7.This Court is of the view that the grounds raised are matter for investigation. It appears that the investigation agency has collected some materials and sent it for forensic department and they are awaiting for the forensic report. The respondent police shall ensure that the they get the report from the forensic department within a period of one month and complete the investigation within a period of two months from the date of receipt of copy of this order.

8.The investigation is the process of finding out the truth. The respondent police are not supposed to conduct the investigation in a mechanical manner, only based on the complaint of the defacto



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complainant and the witnesses, if any, produced by the defacto complainant. They have to conduct the investigation in a fair manner by taking note of the materials and the documents if any placed by the accused also. Therefore, this Court at this stage is not inclined to interfere with the investigation in Cr.No.53 of 2024. The investigation agency shall find out the truth and to file the final report. The grounds raised by the petitioner in his petition also be considered during the investigation.

9.The Deputy Commissioner of Police, Head quarters, Madurai is directed to monitor the investigation in Cr.No.53 of 2024. The petitioner can workout his remedy depending upon the final report. Accordingly, this criminal original petition is closed. Consequently, connected miscellaneous petition is closed.

19.06.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
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- 1.The Deputy Commissioner of Police,
Head quarters,
Madurai.
- 2.The Inspector of Police,
CCB-III, Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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