



CrIOP(MD)No.12322 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrIOP(MD)No.12322 of 2025

and

CRLMP(MD)No.9557 of 2025

1.N.V.Anuradha

2.N.V.Vinothkumar

3.K.Jayakumar

4.Athipan

... Petitioners

Vs.

1.State of Tamil Nadu rep by
The Inspector of Police,
Silaiman Police Station,
Madurai City, Madurai,
[Crime No.456 of 2021]

2.Vellaisamy

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records pertaining to the case in Crime No.456 of 2021 on the file of the 1st respondent police and quash the same as illegal insofar as the petitioner is concerned.



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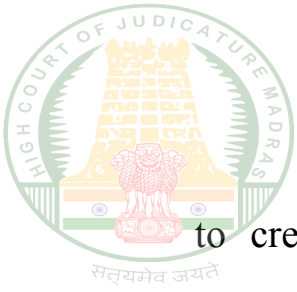
For Petitioners : Mr.S.Veerapandi Selvaraj
For R1 : Mr.P.Kottaichamy,
Government Advocate (CrlSide)

ORDER

The petitioners have approached this court to quash the FIR registered against them in Crime No.456 of 2021 on the file of the 1st respondent police.

2.The learned counsel for the petitioners submits that the petitioners are the owners of the land in S.No.250/A1 of Viraganur Village. The 2nd respondent / defacto complainant claiming to be cultivating tenant has lodged the above complaint, as if the petitioners have trespassed into his land. The respondent police colluding with the 2nd respondent / defacto complainant has registered the case and enabled the 2nd respondent to claim money from the petitioners. The FIR has also been registered after 20 days from the date of occurrence.

3.The learned counsel further submits that the defacto complainant has filed a civil suit questioning the sale deed of the petitioners of the year 1993 in the year 2021 and has foisted this false complaint in order



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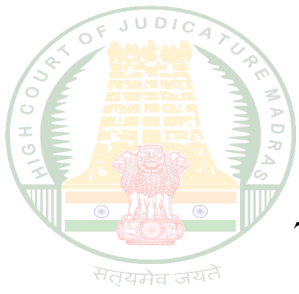
to create a record as if that he is in possession of the property.

WEB COPY The respondent police are also helping the defacto complainant to foist this false complaint.

4.The learned Government Advocate (Crl Side) submits that the investigation in this case has already been completed and they are filing the final report by way of e-filing by today. He also submits that the delay in registering the case is due to the petition enquiry conducted by the respondent police prior to the registration of FIR.

5.The learned counsel for the petitioners submits that though it is stated that the final report is filed today by the respondent police, it would also expose the manner in which the respondent police are supporting the defacto complaint. According to him, he has filed this quash application on 14.07.2025 and in order to defeat this quash application, the respondent police in a hurried manner are filing the final report today.

6.This court considered the submissions made on either side.



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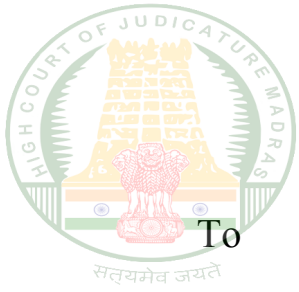
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7.The petitioners claim that they are the owners of the land. They claim that they have purchased this land by way of a registered document in the year 2021. However, the defacto complainant has lodged the complaint as if the petitioners have trespassed into their own land. The respondent police now claim that they have filed the final report. Without ascertaining the materials, which have been filed by the respondent police in the final report, this court is not inclined to quash the proceedings with the first information report alone. Therefore, this petition is closed with a liberty to this petitioners to challenge the final report in the manner known to law.

8.Mere filing of a final report through e-filing is not sufficient and the respondent police shall also ensure that the final report is taken on file without any lapse of time, within a period of one week from the date of receipt of a copy of this order.

22.07.2025

DSK



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To

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1. The Inspector of Police,
Kallakudi Police Station,
Trichy District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

DSK

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