



Crl.O.P.(MD)No.13434 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.08.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.13434 of 2025

and

Crl.M.P(MD)No.10669 of 2025

Anandhan

.. Petitioner /A1

versus

1.The State of Tamil Nadu rep. by
The Inspector of Police,
Devadanapatti Police Station,
Theni District.
(crime No.221 of 2025)

2.Kumar

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records in Crime No.221 of 2025 on the file of the first respondent and quash the FIR as against the petitioner herein.

For Petitioner : Mr.R.Ilayaraja

For R1 : Mr.P.Kottaichamy
Government Advocate (Crl. Side)



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ORDER

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The petitioner/A1 has filed this petition seeking to quash Crime No.221 of 2025 on the file of the first respondent, registered against him.

2. The allegation against the petitioner is that, along with the other accused, he trespassed into the property of the second respondent and cut and removed teak trees. A case was registered in the above crime number for the offences under Sections 191(2), 329(3), 324(4) and 303(2) of the BNS.

3. The petitioner has filed this petition contending that he is the lessee of the said property, having obtained a lease from the mother of the defacto complainant. According to him, though the defacto complainant claims title over the property on the basis of a gift deed executed by his mother, the said lease in favour of the petitioner has not been cancelled. The petitioner further states that he has not cut or removed any trees from the property.

4. The learned Government Advocate (Criminal Side) submits that the case has been registered on the complaint of the second respondent for the aforesaid offences and that the investigation is in progress.

5. This court considered the rival submissions made.



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6. The petitioner claims that he is the lessee under the original owner, whereas the defacto complainant has lodged the complaint based on a gift deed executed by the said original owner. The grounds raised by the petitioner can be duly appreciated by the investigating agency during the course of investigation. Hence, the petitioner is directed to furnish the relevant documents, including the lease deed, before the investigating agency.

7. The petitioner further contends that no trees have been cut or removed from the leasehold area. If the Investigating Officer visits the place of occurrence, it can be ascertained whether any trees have been cut and removed. These are all matters for investigation.

8. On this ground, this Court is not inclined to quash the proceedings. Accordingly, this petition is closed with a direction to the respondent police to conduct the investigation in a fair and proper manner, taking into account the grounds raised by the petitioner in this petition. Consequently, the connected miscellaneous petition is also closed.

12.08.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn



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To

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



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B.PUGALENDHI, J.

skn

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