



Crl.O.P.(MD) No.53 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.09.2025

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THE HON'BLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD) No.53 of 2024

and

Crl.M.P.(MD) Nos.54 & 55 of 2024

S.Indira Gandhi

... Petitioner

Vs.

1.The Inspector of Police,
Anti-Land Grabbing Wing,
District Crime Branch,
Pudukottai District.

2.Karuppaih

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, 1973/Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to call for the records relating to the impugned charge sheet in C.C.No.42 of 2023 on the file of the learned Judicial Magistrate No.II, Pudukottai, Pudukottai District and quash the same as against the petitioner.

For Petitioner : Mr.R.Suriyanarayanan

For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

For R2 : Mr.G.Mathavan



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ORDER

This Criminal Original Petition has been filed to quash the final report filed by the first respondent against the petitioner for the offences punishable under Sections 419, 420, 465, 468, 471, 506(ii) and 120B of the Indian Penal Code, 1860, in C.C.No.42 of 2023, on the file of the learned Judicial Magistrate No.II, Pudukottai, Pudukottai District.

2. The allegation in the final report is that A1 impersonated the defacto complainant's father and executed a Sale Deed in favour of A2, and that the petitioner, who was then the Sub Registrar, had knowledge of the said impersonation and permitted the document to be registered.

3. The learned counsel for the petitioner would vehemently contend that from the allegations, no *mens rea* can be attributed to the petitioner; and that the allegations, at best, reveal negligence on the part of the petitioner for which she cannot be prosecuted under Sections 420, 465, 468, and 471 of the IPC, which are said to have been committed by the other accused.



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4. The learned Additional Public Prosecutor for the first respondent and the learned counsel for the second respondent/defacto complainant would point out two statements recorded during the investigation, one of a Document Writer and the other of the District Registrar, and would submit that the said statements would reveal that the petitioner had knowledge of the impersonation and permitted the documents to be registered.

5. This Court has perused the final report and the statements of two witnesses relied upon by the prosecution, namely, L.W.9 and L.W.11, who are the Document Writer and the District Registrar respectively. The said statements suggest that the petitioner had knowledge of the alleged impersonation.

6. The submission of the learned counsel for the petitioner that these two statements are false and that even in the earlier document dated 13.04.2006, the first accused had signed as Ramaiah, cannot be adjudicated in this quash petition. It is for the petitioner to raise all defences before the trial court to establish that she had no role in the conspiracy and that the two witnesses are not speaking the truth. These factual issues cannot be adjudicated in this quash petition.



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7. However, considering the fact that the petitioner is a lady and aged 55 years, this Court dispenses her appearance before the trial court on all hearings, except when her appearance is required by the trial court for the progress of the trial.

8. With the above observations, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed.

08.09.2025

JEN

Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order

Copy To:

- 1.The Judicial Magistrate No.II,
Pudukottai, Pudukottai District.
- 2.The Inspector of Police,
Anti-Land Grabbing Wing,
District Crime Branch,
Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

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