



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 19455 of 2026

and

Crl.M.P.No.12896 of 2026

1. K.Nallaperumal

2. N.Gomathy

..Petitioner(s)

Vs

1. State Rep.by,
Through the Inspector of Police,
CCB Police Station, Coimbatore - 641 018.

2. G.C.Sivaraj

..Respondent(s)

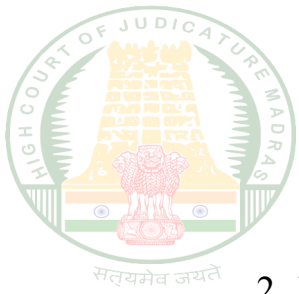
PRAYER: Criminal Original Petition filed under Section 528 of the BNSS, to call for the records and quash the FIR in FIR No.58 of 2023 dated 27.11.2023 pending on the file of CCB-COIMBATORE City.

For Petitioner(s): Mr.S.Namasivayam

For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side)
for R1

ORDER

The prayer in this petition is to quash the FIR insofar as the petitioner is concerned.

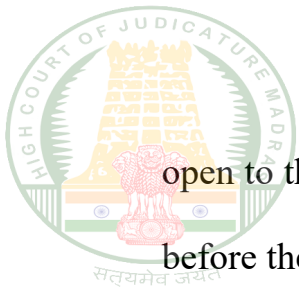


WEB COPY

2. Upon hearing the learned counsel for the petitioner and perusing the allegations in the FIR, it can be seen that the defacto complainant has complained about the facts that his power of attorney agent alienated his property without passing on the consideration to him, thereby cheating him. As far as the petitioner is concerned, he is one of the purchasers.

3. The learned counsel would submit that the petitioner is a *bona fide* purchaser for value, and the sale consideration has been paid to the power of attorney agent through banking transactions. Therefore, he would submit that there is no question of the petitioner being arrayed as a co-accused in the instant case.

4. When general allegations are made against the power agent and the purchaser, the investigating officer cannot, at that stage, weigh the veracity or otherwise of the allegations made in the FIR. Now, in the subsequent investigation, the investigating officer certainly has to look into whether the purchaser has any truck with the power of attorney agent who is said to have cheated the defacto complainant, or whether he is a *bona fide* purchaser for value having made the payment through banking transactions. It will also be



open to the petitioner to place on record such documents in support of his claim before the investigating officer.

WEB COPY

5. The investigating officer shall look into the same, complete the investigation, and file a final report only against such accused if any material relating to cheating or other offences is made out.

6. With the aforesaid directions, this Criminal Original Petition stands disposed of. Liberty is granted to the petitioner to bring it to the notice of the investigating officer or to take such steps against the final report if any is filed against him. The respondent police is directed to complete the investigation within a period of three months from the date of receipt of a web copy of this order. Consequently, connected Miscellaneous Petition is closed.

22-07-2026

Neutral Citation: Yes/No
jas



To
WEB COPY

- 1.The Inspector of Police,
CCB Police Station, Coimbatore - 641 018.
- 2.The Public Prosecutor,
Madras High Court.



WEB COPY

CRL OP No. 19455 of 2



D.BHARATHA CHAKRAVARTHY, J.

jas

CRL OP No. 19455 of 2026

22-07-2026