



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.21639 of 2026

and

Crl.M.P.No.14373 of 2026

P.S.Sasikumar

..Petitioner(s)

Vs

1.The State Rep by
Inspector of Police,
Mecheri Police Station,
Salem District.
(Crime No.342 of 2023).

2.Arjunan

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS, to call for the records and quash the FIR in Crime No.342 of 2023 on the file of the 1st Respondent police.

For Petitioner(s):

Mr.S.Esakkimuthu

For Respondent(s):

Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side)
for R1

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.342 of 2023 dated 19.06.2023.



2. Upon reading the gist of the allegations, the defacto complainant states that, in a loan transaction, the petitioner executed a sale deed and subsequently repaid a part of the amount. It is also submitted that a cheque which was given in repayment was also dishonoured, and separate Section 138 proceedings have also been initiated against the petitioner. However, in the same breath, the petitioner is claiming ownership of the property, and thus they have caused wrongful loss to the defect complainant.

3. The learned counsel for the petitioner would submit that this is a simple sale transaction and there is no such case for the dishonour of a cheque etc,. For the purpose of considering the prayer, the version given by the defacto complainant has to be treated as correct. On a perusal thereof, it can be seen that if the transaction is an absolute sale, there is no question of repayment or the filing of a case for cheque dishonour, etc., as far as the second limb of allegations relating to repayment and cheque dishonour case is concerned.

4. The contentions of the learned counsel for the petitioner is that the allegations are false and factually incorrect, which must come out only during the course of the investigation. Even though the petitioner is an accused, it will be open for him to place on record before the Investigating Officer any material which he wants to present.



5. The Investigating Officer shall dispassionately consider all the materials, complete the investigation as expeditiously as possible, and file the final report in any event not later than two (2) months from the date of receipt of the web copy of the order. If the petitioner is still aggrieved by the final report, or if any adverse final report is filed against him, it will be open for the petitioner to raise the grounds at that stage.

6. Accordingly, this Criminal Original Petition stands disposed of. Consequently, connected Criminal Miscellaneous Petition is closed.

07-08-2026

Neutral Citation: Yes/No
jas

To

1.The Inspector of Police,
Mecheri Police Station,
Salem District.

2.The Public Prosecutor,
Madras High Court.



WEB COPY

CRL OP No. 21639 of 2



D.BHARATHA CHAKRAVARTHY, J.

jas

**Crl.O.P.No.21639 of 2026
and
Crl.M.P.No.14373 of 2026**

07-08-2026