



Crl.O.P.No.18654 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 15.07.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.18654 of 2026
and Crl.M.P.No.12396 of 2026

J.Balaraman

.. Petitioner

Versus

1. The State of Tamil Nadu,
rep. by the Inspector of Police,
District Crime Branch (DCB), Kancheepuram,
Kancheepuram District – 631 502.

2. Gowthami Tadimalla

.. Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records relating to Final Report / Charge Sheet in C.C.No.124 of 2024 on the file of the learned Judicial Magistrate No.I, Kancheepuram, and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.D.Saikumarran

For Respondents : Mr.R.Rajasekaran,
Counsel for Government of Tamil Nadu
(Criminal Side), for R1

: Mr.Sanjay JK, for R2



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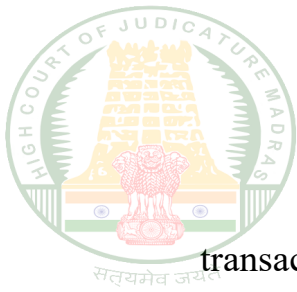
ORDER

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This Criminal Original Petition is filed to quash the proceedings in C.C.No.124 of 2024 pending before the learned Judicial Magistrate No.I, Kancheepuram.

2. Upon perusing the material records of the case, including the First Information Report, the materials collected by the prosecution and the Final Report, the crux of the allegation is that accused Nos.1 and 2 purchased the property from the de facto complainant in the name of the first accused. Even though in the sale deed, a sum of Rs.60,00,000/- is mentioned as sale consideration, it is further mentioned in the sale deed that D.D.No.775874, dated 04.11.2015 is drawn from the sale consideration in the name of the vendor. No such Demand Draft was handed over. Ultimately, the Demand Draft was purchased in the name of the second accused, who colluded with the first accused, so as to divert the property without paying any money.

3. The arguments of the learned Counsel for the petitioner is that there were several transactions between the petitioner and the de facto of complainant. In the previous proceedings, they have settled some of the

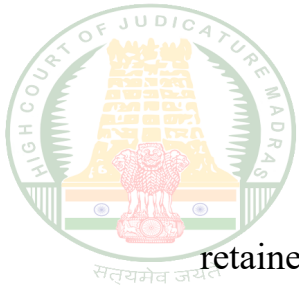


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transactions and the matter was quashed and it was agreed between the parties that they will go only by way of a Civil Suit in respect of the rest of the proceedings. Further, the sale took place long ago and after a period of eight years, this complaint has been lodged and is now taken on file. He would also submit that the matter is civil in nature. Even if the de facto complainant is an unpaid vendor, her right is before the Civil Court.

4. I have considered the said submissions made by the learned Counsel for the petitioner.

5. It is seen from the sale deed produced by the petitioner itself that it terms the de facto complainant as the vendor and in the recital, it says that the sum of Rs.60,00,000/- is paid by way of D.D.No.775874 to the vendor. The copy of the Demand Draft is produced before this Court, which forms part of the Final Report. The material shows that it is not in the name of the vendor. Therefore, there is prima facie material to proceed with the trial. The learned Counsel's argument, relating to the various other averments, are all will be taken care of by the Trial Court at the time of framing of charges and all the submissions, relating to compromise and whether there is justification on the part of the second accused to have



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retained the sum of Rs.60,00,000/-, will all be matters for trial, that have to be brought out by cross-examining *P.W.I* in detail.

6. Therefore, finding that the contention of the learned Counsel of the petitioner as factual in nature and there is material to proceed with the trial, this Criminal Original Petition stands dismissed. It is made clear that these observations made by this Court are for the limited purpose of deciding this quash application and while considering the merits of the matter, these observations will not come in the way. Consequently, connected miscellaneous petition is closed.

15.07.2026

Neutral Citation : no
grs

To

1. The Judicial Magistrate No.I,
Kancheepuram.
2. The Inspector of Police,
District Crime Branch (DCB), Kancheepuram,
Kancheepuram District – 631 502.
3. The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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