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Crl.O.P.No.22537 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

Crl.O.P.No.22537 of 2026
and Crl.M.P.No.14951 of 2026

Saravanan

... Petitioner

vs.

1.State rep by
Inspector of Police
Central Crime Branch
Team No.18, Veperi,
Chennai-600 007

2.R.Soundararajan

... Respondents

PRAYER:- Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in C.C.No.1133 of 2020 pending on the file of the learned Additional Chief Metropolitan Magistrate at Egmore, Chennai-8 and quash the same.

For Petitioner : Mr.M.Anandaraj

For R1 : Mr.R.Ganesh Kumar
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.1133 of 2020 pending on the file of the learned Additional Chief Metropolitan Magistrate at Egmore, Chennai-8.



2. The petitioner is arrayed as 4th accused. The case of the prosecution is that the 2nd respondent herein obtained an order under Section 156(3) of the Criminal Procedure Code from the learned XVII Metropolitan Magistrate, Saidapet Chennai, with a direction to register a case pertaining to the land owned by him situated at Plot No.15, R.S.No.193, T.S.No.2, Block 21 measuring to an extent of 3800 sq.ft., Ram Nagar, Peravallur and the same was purchased from one Ramraj Real Estate Owner Mrs.Saraswathiram under a registered Sale Deed vide Document No.1615/1976 on the file of Sub-Registrar Office, Sembiam. During the month of March-2002, he visited the said land and found it was fencing. Immediately, he obtained Encumbrance Certificate and on verification of Encumbrance Certificate, it was found that his property was sold by impersonation, as if he executed a Power of Attorney in favour of one Mr.Senthilkumar in D.No.294/2002 and on the strength of the said Power of Attorney, he sold the above property to one Mr.Kumaran by a registered Sale Deed vide D.No.5855/2002. He filed a civil suit before the City Civil Court in O.S.No.6388 of 2002 and got decree in his favour and the said sale deed was cancelled. Thereafter, he obtained encumbrance certificate and it was found that in the year 1999, a Sale Deed was registered in D.No.2855/1999 by impersonation in favour of one Mr.Palaniappan,



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wherein one Kanagasabapathy and Saravanan stood as witnesses. Therefore, the 2nd respondent lodged a complaint and the 1st respondent registered a case in Crime No.25 of 2008 for the offences punishable under Sections 419, 465, 468, 471 and 506(i) of IPC as against the petitioner and others.

3. After completion of investigation, the 1st respondent filed final report. On receipt of the same, the Trial Court had taken cognizance and while pending trial, Accused Nos.2 and 3 approached this Court to quash the proceedings by way of compromise in Crl.O.P.No.13084 of 2025. This Court by an order dated 25.04.2025 quashed the entire proceedings as against the A2 and A3. Thereafter, the Trial Court proceeded with the trial as against the petitioner, who is arrayed as A4.

4. The PW.1 namely the 2nd respondent deposed that he does not want to proceed with the case as against the petitioner. The relevant portion of the cross examination of PW.1 reads as follows:-

"2^{ம்} எதிரி பழனியப்பன் மற்றும் 3 ம் எதிரி கனகசபாபதி ஆகியோருடன் எனக்கு சமரசம் ஏற்பட்டு அதனடிப்படையில் அவர்கள் இருவரின் மீதான இந்த வழக்கு உயர்நீதிமன்றத்தால் Crl.O.P.No.13084/2025 மூலம் 25.04.2025 அன்று Quash செய்யப்பட்டுவிட்டது என்றால் சரிதான். எங்களுக்குள் என்ன சமாதானம் ஏற்பட்டது என்றால் இந்த வழக்கில் சம்பந்தப்பட்ட ரீசர்வே எண்.193,



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பிளாட் நம்பர்.15, ராம் நகர், பெரவளூர் கிராமத்திற்குட்பட்ட நிலம் என்னுடைய நிலம் என ஒத்துக்கொண்டு அதை பழனியப்பன் திரும்ப் கொடுத்துவிட்டார். எனக்கும் பழனியப்பனுக்கும் இடையே நடந்த உரிமையியல் வழக்கில் மேற்சொன்ன சொத்து எனக்கு சொந்தமானது என தீர்ப்பாகிவிட்டது என்றால் சரிதான். அந்த தீர்ப்பாணையை சார்பதிவாளர் அலுவலகத்தில் நாங்கள் பதிவு, செய்துள்ளோம் என்றால் ஆமாம். 4 ம் எதிரி சரவணன் மீதான இந்த குற்ற வழக்கை நான் நடத்த விரும்புகிறேனா என்றால் நடத்த விரும்பவில்லை."

5. In view of the above, keeping the trial pending would not serve any purpose. In order to meet ends of justice, this Court is inclined to quash the entire proceedings as against the petitioner.

6. Accordingly, the proceedings in C.C.No.1133 of 2020 on the file of the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai-8, is hereby quashed and this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

13.08.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
dm



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To

- 1.The Additional Chief Metropolitan Magistrate,
Egmore, Chennai-8.
- 2.The Inspector of Police
Central Crime Branch
Team No.18, Veperi,
Chennai-600 007.
- 3.The Public Prosecutor,
High Court, Madras.



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G.K. ILANTHIRAIYAN, J.

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