



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2019

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

Crl.O.P (MD)No.23568 of 2014  
and  
M.P. (MD)No.1 of 2014

1.R.M.Alagappan

2.AL.Meenal

3.AL.Ramasamy

4.AL.Palaniappan

... Petitioners

Vs

M.K.S.Sivanantham

... Respondent

**PRAYER:** Petition filed under Section 482 Code of Criminal Procedure, to quash the complaint made by the respondent herein dated 30.07.2014 under Section 200 of Cr.P.C raising allegation against the petitioners herein for offences under 500 of the Indian Penal Code and the summons issued thereupon by the learned Judicial Magistrate No.IV, Tiruchirappali, Tiruchirappali District dated 09.12.2014 in C.C.No.308 of 0214.

For Petitioners : Mr.Isaac Mohanlal  
Senior Counsel  
for Mr.T.Cibi Chakraborty

For Respondent : Mr.M.R.Elango  
Senior Counsel  
for Mr.K.Govindarajan

**ORDER**

The petitioners herein are facing trial in C.C.No.308 of 2014 on the file of the Judicial Magistrate No.IV, Trichy, for the offence under Section 500 of IPC.

2. The petitioners herein as well as the complainant were associated with each other in the running of one AL Housing Private Limited. Admittedly, the complainant had left the company.



3. According to the petitioners herein, the complainant had resigned from the Directorship of the company. The same was also filed before the Registrar of companies in Form 32. It was also taken on record.

4. According to the Form 32, the complainant resigned from the Directorship with effect from 15.07.2013. The petitioners herein caused a paper publication mentioning this fact. This, according to the complainant, has brought down his reputation in the eyes of the general public. According to him, even as late as 18.12.2013, he had executed a document in the capacity as the Director of the said company and the same was attested by one of the petitioners herein. He apprehends that the persons who had purchased the property under such sale deeds will question him. That was the reason for filling this complaint.

5. I suggested to learned Senior Counsel on either side that if the transactions, to which, the complainant was a party, were to be sustained and not impeached by the petitioners herein, the issue can be given quietus. The suggestion put forth by this Court was acceptable to both the learned Senior Counsel. I am happy to record that they have prevailed upon the respective clients to bury the hatchet. To this effect, the petitioners herein have filed an affidavit before this Court. The same is taken on record. The details of the sale transactions which were executed by the complainant are as follows:-

| SL.No. | Sale Deed<br>Doc. No. | Date       | Property<br>particulars                                                                                                                         |
|--------|-----------------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.     | 6677/2013             | 25.09.2013 | Sy.No.74/4 admeasuring to an extent of 0.26 Acres in Maruthandakurichi Village, Trichy in favour of Mrs.S.Jothimani W/o.M.K.S.Sivanantham       |
| 2.     | 3980/2018             | 25.09.2013 | Plot No.167 at Sy.No.22/1 admeasuring to an extent of 1200 sq. Ft. in Gundur Village, Trichy in favour of Mrs.S.Jothimani W/o.M.K.S.Sivanantham |
| 3.     | 6198/2013             | 25.09.2013 | Survey No.437/2B admeasuring to an extent of 43 cents in P.K.Agaram, Trichy in favour of Mrs.Jothimani W/o.M.K.S.Sivanantham                    |



|    |           |            |                                                                                                    |
|----|-----------|------------|----------------------------------------------------------------------------------------------------|
| 4. | 5252/2013 | 18.12.2013 | Survey No.21/2B admeasuring to an extent of 1.34 ½ Acres in Gundur, Trichy, in favour of P.lakshmi |
| 5. | 5251/2013 | 18.12.2013 | Survey No.21/2C admeasuring to an extent of 1.04 Acres in Gundur, Trichy in favour of P.Lakshmi.   |

6. The petitioners have filed an affidavit before this court that the above transactions will not be impeached or doubted or challenged in any manner. A copy of the said affidavit has also been served on the learned counsel appearing for the complainant. In paragraph No.4 of the affidavit, it has been clearly stated that the petitioners herein affirm that the sale deeds mentioned above would stand good for all time. Therefore, the impugned proceedings stand quashed.

7.This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS )

**rmi**

To

The Judicial Magistrate No.IV, Tiruchirappali,  
Tiruchirappali District.

+1 CC to M/s.S. RAVI, Advocate SR-90152.  
+1 CC to M/s.ISAAC CHAMBERS, Advocate SR-90279.

**Crl.O.P (MD) No.23568 of 2014**  
**27.09.2019**

CS (31.10.2019) 3P 4C