



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.12786 of 2021

Dr.Rani Varadharaju

... Petitioner

Versus

The Inspector of Police
Central Crime Branch
Salem District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a direction to the respondent not to harass the petitioner in the guise of enquiry on the basis of the false complaint in C.No.391/PGP/DC/Cr&Tr/SLM (c)/2021 and C.No.206/ACP/CCB/SLM (e)/2021 lodged by the complainant.

For Petitioner : Mr.E.K.Kumaresan

For Respondent : Mr.A.Damodaran
Government Advocate (Crl.Side)

ORDER

This petition filed to issue a direction to the respondent not to harass the petitioner under the guise of enquiry on the basis of the false complaint in C.No.391/PGP/DC/Cr&Tr/SLM(c)/2021 and C.No.206/ACP/CCB/SLM (e)/2021 lodged by the complainant.

2. The petitioner is a Doctor by profession. She had purchased the subject property on 30.09.2019 from one Late Mr.Ulaganathan, for a consideration of Rs.2 Crores and Rs.2 Crores has been paid through Banks. The said Late Mr.Ulaganathan died on 01.06.2021. Thereafter, his wife Muthulakshmi and his daughter Jayalakshmi have lodged a complaint stating that they have been cheated by the petitioner. According to the petitioner, it is a registered a sale deed and further all the relevant documents were produced before the Registration Authority and the transaction has been confirmed and thereafter, only the property was registered. Now after her husband



Ulaganathan passed away, a false complaint has been made against the petitioner.

3. The learned Government Advocate (Crl.Side) has submitted that the said Muthulakshmi wife of Late Mr.Ulaganathan has lodged a complaint stating that the petitioner taking advantage of the demise of her husband Late Mr.Ulaganathan has failed to make entire payment as agreed upon. The property is an extent of 6320 Sq.ft., with four floor building and the value is around Rs.10 Crores and she agreed to pay a sum of Rs.10 Crores in part. Further, the Registration of the documents were made only as per the guide line value, and the balance amount has to be paid in future. Taking advantage of the death of her husband, the petitioner is now refusing to pay balance the amount.

4. The learned Government Advocate (Crl.Side) has submitted that at the time of registration of the document, the Muthulakshmi's husband was more than 75 years of ailing health. Taking advantage of his ailing health and loss of memory, the property was projected as it was mortgage deed and obtained a sale deed. The petitioner taking advantage of the old age, ailing health and the situation had executed the said document.

5. The learned counsel for the petitioner has submitted that it is only a genuine regular sale deed and she got the materials to prove that the market value of Rs.10 Crores has been paid. She is also willing to produce the proof of the same and agreed to appear before the respondent police in this regard.

6. The petitioner is directed to appear before the respondent police on 03.08.2021 and 04.08.2021. Considering that the complainant being a widow lady aged about 74 years and her daughter being 53 years, the respondent police has to resolve the issue forthwith. If it is found that the complainant has been cheated, the respondent police shall take necessary action in this regard.

7. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar



dna

To

WEB COPY

1.The Inspector of Police
Central Crime Branch
Salem District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.E.K.Kumaresan, Advocate (SR No.35997)

CRL.O.P.No.12786 of 2021

LN (CO)
PR (17/08/2021)