



Crl.RC.No.1246 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2024

CORAM:

THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

Crl.RC.No.1246 of 2024

and

Crl.MP.No.10803 of 2024

R.Radhakrishnanandam alias Radhakrishnan

...Petitioner

Vs.

1. State rep. by its,
Inspector of Police,
ALGSC TEAM-17-A,
Central Crime Branch,
Veppery, Chennai.

2. M.Palani
3. B.Nagarajan
4. P.Govindaraj
5. N.A.Thameem
6. B.Kanniappan
7. M.K.Raja
8. Loganathan
9. R.Kumari
10. Rajendran

...Respondents

Petition filed under Section 397 r/w 401 of Cr.P.C. to set aside the order passed in Crl.MP.No.39790/2023 in CC-4958/2023 pending trial in the CC-4958/2023 before the Hon'ble Metropolitan Magistrate Court exclusive Trial court for CCB-CBCID cases relating to cheating cases at Egmore,



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Chennai dated 01.03.2024 and further pray in for an order for further investigation and for the filing of the additional or supplementary charge sheet with proper fact and finding which are left over in the charge sheet filed in by the respondent police.

For Petitioner : Mr.A.Senthil Manohar

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl. Side), for R1

ORDER

This Criminal Revision case has been filed seeking quashment of the order dated 01.03.2024 passed in Crl.MP.No.39790 of 2023 in CC.No.4958 of 2023 on the file of the Metropolitan Magistrate Court exclusive Trial court for CCB-CBCID cases relating to cheating cases at Egmore, Chennai and to consequently order for further investigation and to file additional or supplementary charge sheet with proper fact and finding which are left over in the charge sheet filed in by the respondent police.

2. The case of the petitioner is that, he is the owner of the property bearing New Door No.70, Old Door No.59, Gandhi street, West Mambalam, measuring an extent of 6635 sq.ft., together with a passage of 10' * 85' and the said property was originally owned by one Rajagopal Reddy and after



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his demise, his wife namely Andalammal, who is his only legal heir settled the above said property in favour of her adopted daughter namely Kasthuri Ammal, vide registered settlement deed dated 12.10.1966 bearing No.3208 of 1966 retaining life interest for herself and subsequently, the said Andalammal relinquished her life interest in favour of the said Kasthuri Ammal, vide registered Doc.No.2994 of 1988 dated 22.06.1988, who in turn sold the said property in favour of the petitioner's vendors and thereafter, the same was purchased by the petitioner, vide registered Sale deed bearing Doc.No.1690 of 2006 dated 12.07.2006. Pursuant to the said purchase, the petitioner taken steps to vacate the tenants and the petitioner's vendors had already obtained an order of eviction dated 28.04.2000 in RCOP.No.76 of 1995 against three of the tenants and the petitioner also filed C.S.No.876 of 2010 against the said three tenants. While so, one K.S.Chandrasekara Reddiar claiming to be the son of late Rajapogal Reddy sold a portion of the petitioner's property in favour of the third persons and the persons who have got no right over the petitioner's property and against whom eviction order was passed, have created bogus documents and are making illegal attempts to grab the petitioner's property. Aggrieved by the same, the petitioner filed



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a complaint before the law enforcing agency and a case was registered in

Cr.No.617 of 2011 for the offence u/s. 420, 465, 467, 471 and 474 r/w.

120(b) of IPC and charge sheet came to be filed in CC.No.4958 of 2023.

However, as the details of the eviction order dated 28.04.2000 made in

RCOP.No.76 of 1995 which was subsequently confirmed in RCA.No.344 of

2000 were not discussed and since the petitioner was not allowed to mark

certain crucial documents, he filed a petition under Section 173(8) of Cr.P.C

in Crl.MP.No.39790 of 2023 seeking further investigation and also to file

additional or supplementary charge sheet with proper fact and finding which

are left over in the charge sheet filed in by the respondent police. However,

the trial court, without considering any of the above said facts, had

mechanically dismissed the said petition, vide impugned order dated

01.03.2024. Challenging the same, the petitioner has come up with this

Criminal revision.

3. Heard learned counsel on either side and perused the material documents placed on record.



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4. Though very many grounds have been raised by the learned counsel for the petitioner as against the impugned order, since the relief of further investigation as sought for by the petitioner is more on the basis of the documentary evidences, this Court without interfering with the impugned order and without going into the merits of the case, grants liberty to the petitioner to mark all the necessary documents at the time of trial through his evidence.

5. With the above liberty, this Criminal Revision Case stands dismissed. Consequently, the connected Miscellaneous petition is closed.

01.08.2024

skt

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

To

1. The Inspector of Police,
ALGSC TEAM-17-A, Central Crime Branch,
Veppery, Chennai.

M.DHANDAPANI, J.

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2. The Metropolitan Magistrate Court exclusive Trial court for CCB-CBCID cases relating to cheating cases, Egmore, Chennai.
3. The Public Prosecutor, High Court of Madras.

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