



**Crl.O.P.No.25057 of 2022**

**T.V.THAMILSELVI, J.**

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Today, this Criminal Original Petition is listed under the caption, “For Being Mentioned” at the instance of learned Government Advocate (Crl.Side) for 1<sup>st</sup> Respondent Police.

2. The learned Government Advocate (Crl.Side) appeared on behalf of 1<sup>st</sup> Respondent Police submitted that this Court has allowed this Criminal Original Petition vide Order dated 19.03.2024. The Petitioner herein is Accused No.5 in C.C.No.2 of 2022 on the file of Judicial Magistrate Court, Ambattur, but, in this Criminal Original Petition as well as Affidavit filed in support of this petition, Calendar Case Number was wrongly mentioned as C.C.No.139 of 2022, as a result of which, in the Cause Title Prayer and Paragraph Nos.1 & 5 of the Order dated 19.03.2024 in Crl.O.P.No.25057 of 2022, Calendar Case Number has been wrongly typed as C.C.No.139 of 2022 instead of C.C.No.2 of 2022. Therefore, Petitioner had filed a petition in Crl.M.P.No.16783 of 2025 seeking to amend the Calendar Case Number. This Court vide Order dated 18.09.2025, allowed the said petition.



2.1. It is further submitted by the learned Government Advocate (Crl.Side) for 1<sup>st</sup> Respondent Police that totally 7 accused have involved in the criminal case in C.C.No.2 of 2022 on the file of Judicial Magistrate, Ambattur and the Petitioner who was arrayed as Accused No.5 in C.C.No.2 of 2022 has filed this Criminal Original Petition. This Court vide Order dated 19.03.2024, allowed this Criminal Original Petition by holding that this Court is inclined to quash the proceedings in C.C.No.2 of 2022 on the file of Judicial Magistrate Court, Ambattur.

2.2. The learned Government Advocate (Crl.Side) for 1<sup>st</sup> Respondent Police also submitted that since this Court has simply held that the criminal proceedings in C.C.No.2 of 2022 on the file of Judicial Magistrate Court, Ambattur is quashed, there is every possibility for the other 6 accused to claim that the criminal proceedings in C.C.No.2 of 2022 on the file of Judicial Magistrate Court, Ambattur has been quashed against them as well. Therefore, the learned Government Advocate (Crl.Side) prayed this Court to modify the Paragraph No.5 of the Order dated 19.03.2024 in Crl.O.P.No.25057 of 2022 to the extent that the criminal proceedings in C.C.No.2 of 2022 on the file of Judicial Magistrate, Ambattur is quashed only as against the Petitioner herein.



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3. Considering the above submissions made by the learned Government Advocate (Crl.Side) for 1<sup>st</sup> Respondent Police, this Court is inclined to modify the observation made in Paragraph No.5 of the Order dated 19.03.2024 in Crl.O.P.No.25057 of 2022. Accordingly, the same is modified as follows:

*“5. In view of the above, this Court is inclined to hold that the criminal proceedings in C.C.No.2 of 2022 on the file of Judicial Magistrate, Ambattur is quashed only as against the petitioner herein.”*

4. In all other aspects, Order dated 19.03.2024 made in Crl.O.P.No.25057 of 2022 shall remain unaltered. Registry is directed to issue a fresh order copy to all concerned, after carrying out the aforesaid modification.

**07.01.2026**

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**T.V.THAMILSELVI, J.**

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Crl.O.P.No.25057 of 2022

07.01.2026



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 19.03.2024**

**CORAM**

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

Crl.O.P.No.25057 of 2022

and

Crl.M.P.Nos.15631 & 15632 of 2022

Subramaniam

... Petitioner

Vs.

1.The State represented by  
Inspector of Police  
CCIW  
Chennai  
(Crime No.1 of 2018)

2.Velumani  
Deputy Registrar (Housing)  
Chengleput District  
Respondent

...

**Prayer:** Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records made in C.C.No.139 of 2022 on the file of the learned Judicial Magistrate, Ambattur and quash the same as illegal.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.S.Vinoth Kumar  
Government Advocate (Crl. Side) - R1



## ORDER

The petitioner has filed this Criminal Original petitions to quash the proceedings in C.C.No.139 of 2022 on the file of the learned Judicial Magistrate, Ambattur, in which cognizance was taken for the offence punishable under Sections 408, 409, 420, 471, r/w 34, 109 of IPC.

2. When the matter was taken up for hearing today, the learned counsel for the petitioner submitted that, on different dates, the petitioner has paid the entire liability which was fixed on him. To that effect, he produced the statement of payments.

3. The learned counsel for the respondents submitted that the entire land cost was paid with interest, amounting to Rs. 16,33,407/-.

4. Considering the submissions made by both sides' counsels, and noting that the petitioner is a bona fide purchaser who acquired two plots, it is evident that there is no specific overt act against him. He has not caused any loss to the society. Although the liability fixed on him was Rs. 9,04,725/-, with interest, he paid a sum of Rs. 16,33,407/-. As of now, no loss has been caused to the society.



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5. Considering that, this Court is inclined to quash the proceedings in

C.C.No.139 of 2022 on the file of the Judicial Magistrate, Ambattur .

6. Accordingly, this Criminal Original Petition is allowed and  
Consequently, the connected miscellaneous petitions are closed.

19.03.2024

Speaking Order/ Non Speaking Order

Index: Yes/ No

Neutral Citation: Yes/No

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To

1.The Inspector of Police  
CCIW, Chennai.  
(Crime No.1 of 2018)

2.The Judicial Magistrate, Ambattur.

3.The Public Prosecutor,  
High Court of Madras.



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**T.V.THAMILSELVI, J.**

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Crl.O.P.No.25057 of 2022  
and  
Crl.M.P.Nos.15631 & 15632 of 2022

**19.03.2024**