



Crl.A.No.335 of 2025

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Crl.A.No.335 of 2025

T.V.THAMILSELVI, J.

This matter was taken up for hearing under the caption “For Being Mentioned” today at the instance of the learned counsel for appellant.

2.The learned counsel for appellant submitted that this court by an order dated 12.11.2025 disposed of the above Criminal Appeal in terms of memo. However, he would submit that the Registration Authority needs specific direction to them. He would also submit that in page 7, para 11, 7th line, now the land was currently with M/s.Freudenberg Performance Materials, but it was mentioned as currently with owner. He would further submit that in page 7, para 11, 9th line and also in para 15, 3rd line of the order, instead of mentioning the said 1 acre 17 cents land currently with M/s.Freudenberg Performance Materials, it is to be mentioned as 1 acre 17 cents land with the prudent buyer. Therefore, he prayed to modify the same in the order and issue fresh order copy.



Crl.A.No.335 of 2025

3. Considering his submissions, this Court ordered to extract the portion of memo in the order. Accordingly, Registry is directed to include the same at the end of para 14 as follows :-

“The 2nd respondent’s daughter Anuradha Moturi represented by her advocate submitted that Anuradha Moturi relinquishes her right in the property situated in S.No.11/1b2 measuring an extent of 1 acre at Noombal Puliyaibedu village, and also consented to the appellant Pratap K.Moturi for execution of necessary documents including a sale deed in favour of prudent buyer and declares that she shall not claim any right over the said property.”

4. Registry is also directed to modify the order as follows :-

(i) At page 7, para 11, 7th line delete the words viz., **“the owner viz.,”**.

(ii) At page 7, para 11, 9th line delete the words viz., “currently with M/s.Freudenberg Performance Materials” and after the words “to deal with the said” to include the words viz., **“1 acre 17 cents land with the prudent buyer”**.



Crl.A.No.335 of 2025

(iii) At page 9, para 15, 3rd line, to delete the words viz., “owner M/s.Freudenberg Performance Materials” and at the end of para 15, after the word “1 acre 17 cents” to include the words viz., “**with the prudent buyer**”.

5. Registry is directed to incorporate above modifications in the judgment of this Court passed in Crl.A.No.335 of 2025 dated 12.11.2025 and issue fresh order copy to the learned counsel for appellant.

24.04.2026

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WEB COPY



Crl.A.No.335 of 2025

T.V.THAMILSELVI, J.

rpp

Crl.A.No.335 of 2025

24.04.2026



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Crl.A.No.335 of 2025



Crl.A.No.335 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

Crl.A.No.335 of 2025

Pratap K.Moturi

...Appellant

Versus

1.The State rep. by
Inspector of Police,
Central Crime Branch,
Team XVIII A,
Chennai – 600 006.

2.Lalitha Mohan

...Respondents

This Criminal Appeal is filed under Section 372 of Cr.P.C praying to set aside the Judgment dated 24.01.2025 passed in C.A.No.17 of 2023 on the file of XVI Additional Sessions Judge, Chennai.

For Appellant	:	Mr.J.Pothiraj
For Respondent – 1	:	Mr.V.Meganathan, Govt. Advocate (Crl.Side)
For Respondent – 2	:	Mr.B.A.Sanjay Prasanna



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Crl.A.No.335 of 2025

JUDGMENT

This Criminal Appeal has been filed by the Appellant seeking to set aside the Judgment dated 24.01.2025 in C.A.No.17 of 2023 passed by the learned XVI Additional Sessions Judge, Chennai.

2. The brief facts of the case are that Appellant's father Mr.Moturi Sathyanarayana had executed a Will dated 20.05.1983 bequeathing the following two properties:

(i) Land and Building property at Gandhi Nagar, Adyar in favour of his two sons viz., Appellant and Mr.Raveendra Moturi.

(ii) Land property measuring an extent of 4 Acres situated at Numbai Mathura Puliambedu Village, Poonamallee in favour of his grandchildren viz., Nithil Kumar Moturi (son of Appellant), Srinivas Moturi (son of Mr.Raveendra Moturi) and Anuradha Moturi (daughter of M.K.Mohan & 2nd Respondent/Accused No.2). Out of the said property, 1.5 Acres allotted to Nithil Kumar Moturi; 1.5 Acres allotted to Srinivas Moturi and 1 Acre allotted to Anuradha Moturi.



Crl.A.No.335 of 2025

3. The Appellant's father Mr.Moturi Sathyanarayana had died on

06.03.1995. After his demise, a petition was filed to probate the said Will. At that time, Appellant came to know that M.K.Mohan (elder brother of Appellant) had fabricated the Will dated 04.03.1995 as if the same had been executed two days prior to the death of his father Mr.Moturi Sathyanarayana and based on the said Will, M.K.Mohan (elder brother of Appellant) had executed a Settlement Deed dated 01.02.2022 in favour of his wife viz., Mrs.Lalitha Mohan (2nd Respondent). In the fabricated Will dated 04.03.1995, it has been stated that Late Mr.Moturi Sathyanarayana had bequeathed the aforesaid 4 Acres of land in favour of M.K.Mohan (elder brother of Appellant). Therefore, Appellant had lodged a Complaint dated 16.08.2005 to 1st Respondent Police against his elder brother M.K.Mohan and Mrs.Lalitha Mohan (2nd Respondent).

4. Based on the complaint given by Appellant, 1st Respondent Police registered a case against M.K.Mohan and his wife, Mrs.Lalitha Mohan (2nd Respondent) and conducted investigation. After the completion of investigation, 1st Respondent Police filed the Charge Sheet as against M.K.Mohan (Accused No.1) and Mrs.Lalitha Mohan (2nd Respondent/Accused No.2) under Section 420 r/w. 34 and 175 of IPC.



Crl.A.No.335 of 2025

WEB COPY 5. The Trial Court has taken the case on file in C.C.No.46 of 2013.

During the course of trial, M.K.Mohan (Accused No.1) had died and hence, charges against him were abated. Before the Trial Court, on the side of prosecution, 6 persons were examined as witnesses P.W.1 to P.W.6 and 9 documents were marked as Exhibits P1 to P9, but, on the side of accused, no witnesses were examined and no documents were marked.

6. On appreciation of oral and documentary evidence, the Trial Court found that 2nd Respondent/Accused No.2 is guilty for commission of offence punishable under Section 420 r/w. 34 of IPC. Therefore, the Trial Court vide Judgment dated 26.12.2022 in C.C.No.46 of 2013, convicted the 2nd Respondent/Accused No.2 and sentenced her to undergo 3 years simple imprisonment and to pay a fine of Rs.10,000/-, in default, to undergo 6 weeks simple imprisonment and also, directed the 2nd Respondent/Accused No.2 to pay a sum of Rs.50,00,000/- as compensation to Mr.Srinivas Moturi (son of Mr.Raveendra Moturi).

7. Challenging the judgment of Trial Court, 2nd Respondent/Accused No.2 had preferred a Criminal Appeal in C.A.No.17
9/15



Crl.A.No.335 of 2025

of 2023 before the XVI Additional District and Sessions Court, Chennai.

The 1st Appellate Court vide Judgment dated 24.01.2025, set aside the judgment of Trial Court and allowed the said Criminal Appeal. Aggrieved by the same, Appellant has preferred the present Criminal Appeal.

8. This Court vide Order dated 10.11.2025, directed the parties to appear before this Court on 12.11.2025 i.e., today.

9. Accordingly, today, Appellant has appeared along with his counsel before this Court and 2nd Respondent/Accused No.2 has appeared before this Court through Video Conferencing since she is a senior citizen aged about 83 years and she has age related health issues.

10. The 2nd Respondent/Accused No.2 who appeared through Video Conferencing has stated that she wants to give quietus to the issue involved herein. She has further assured that either herself or her daughter, Ms.Anuradha Moturi would not interfere with the property which is said to be covered under the Will dated 20.05.1983. A Memo dated 11.11.2025 filed by 2nd Respondent/Accused No.2 to that effect has

10/15



Crl.A.No.335 of 2025

also been produced before this Court. The said Memo reads as follows:

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“The 2nd Respondent most respectfully submits as follows:

- 1. The Appellant has preferred the present appeal challenging the judgment of acquittal of the 2nd Respondent dated 24.01.2025 passed in C.A.No.17 of 2023 on the file of the XVI Additional Sessions Judge, Chennai, whereby the Hon’ble Court was pleased to set aside the judgment of conviction dated 26.12.2022 passed in C.C.No.46 of 2013 on the file of the Special Metropolitan Magistrate Court for Land Grabbing Cases – I, Chennai.*
 - 2. Based on the representation made by the Appellant, this Hon’ble Court directed the 2nd Respondent to file the present memo to give quietus to the issue between the litigants in all forum and for dismissing the present criminal appeal. Pursuant to the directions of this Hon’ble Court, the 2nd Respondent respectfully submits that without prejudice to her rights and contentions, she will not interfere with the property said to be covered under the Will dated 20th May 1983. This Memo is filed solely to place the above position on record and to avoid any possible misunderstanding.*
- Therefore, it is most respectfully prayed that this Hon’ble Court may be pleased to take this Memo on record, dismiss the present appeal, and pass such further or other orders as this Hon’ble Court may deem fit and proper in the interests of justice.”*

11. The learned counsel for Appellant submitted that out of the 4 Acres of land covered under Will dated 20.05.1983, M.K.Mohan & 2nd Respondent/Accused No.2 sold 1 Acre 17 Cents to one Usha Parthiban who in turn through Court executed Sale Deed to M/s.Freudenberg Performance Materials Private Limited. He further submitted that 2nd

11/15



Crl.A.No.335 of 2025

Respondent/Accused No.2 has stated that she and her daughter, Ms.Anuradha Moturi would not interfere with the property covered under Will dated 20.05.1983 which includes the land measuring an extent of 1 Acre 17 Cents currently with the owner viz., M/s.Freudenberg Performance Materials Private Limited and thus, Appellant is entitled to deal with the said 1 Acre 17 Cents land currently with M/s.Freudenberg Performance Materials Private Limited with regard to pathway claim. The learned counsel has produced a Memo dated 11.11.2025 filed by the Appellant to that effect before this Court which reads as follows:

“The Appellant most respectfully submits as follows:

- 1. The Appellant has preferred the present appeal challenging the judgment of acquittal of the 2nd Respondent dated 24.01.2025 passed in C.A.No.17 of 2023 on the file of XVI Additional Sessions Judge, Chennai whereby the Hon’ble Court had set aside the judgment of conviction dated 26.12.2022 passed in C.C.No.46 of 2013 on the file of the Special Metropolitan Magistrate Court for Land Grabbing Cases – I, Chennai.*
- 2. The 2nd Respondent had sold property measuring 1.17 Acres out of total 4 Acres to Usha Parthiban and Usha Parthiban in turn through Court executed sale deed to the present owner M/s.Freudenberg.*
- 3. Based on the compromise proposal submitted by the 2nd respondent, the Appellant has agreed for her following proposal viz.,*

“that the 2nd respondent and her daughter viz., Anuradha Moturi relinquish in favour of the Appellant any of their right, title or interest over 4 Acres of land Puliembedu Village, Poonamallee Taluk, Thiruvallur District covered in Will dated 20/05/1983 which includes 1



WEB COPY



Crl.A.No.335 of 2025

Acre 17 Cents currently with present owner and that in consideration of the same, 2nd respondent and her daughter will not interfere with the said property any longer. Consequently, the Appellant is entitled to execute necessary deeds to sell the land measuring 1 Acre 17 Cents to M/s.Freudenberg Performance Materials Private Limited.”

Therefore, it is most respectfully prayed that this Hon'ble Court may be pleased to take this Memo on record and pass such further or other orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

12. The Appellant who appeared before this Court has stated that he had lodged a Complaint dated 05.03.2022 to Assistant Commissioner of Police, Central Crime Branch ALGSC-II, Greater Chennai Police, Vepery, Chennai – 600 007. Based on the complaint given by him, a case has been registered in Crime No.19 of 2022, wherein, 2nd Respondent/Accused No.2 was arrayed as Accused No.1 and Ms.Anuradha Moturi (daughter of 2nd Respondent/Accused No.2) was arrayed as Accused No.2. The Appellant has also assured that in view of the undertaking which has been given by 2nd Respondent/Accused No.2, he would not pursue the case in Crime No.19 of 2022.

13. The Memo dated 11.11.2025 filed by the 2nd Respondent/Accused No.2 as well as the Memo dated 11.11.2025 filed by the Appellant are recorded.



Crl.A.No.335 of 2025

WEB COPY

14. In the result, this Criminal Appeal is disposed of in terms of the Memo dated 11.11.2025 filed by 2nd Respondent/Accused No.2 as well as the Memo dated 11.11.2025 filed by Appellant.

15. It is made clear that 2nd Respondent/Accused No.2 is acquitted of all charges and the Appellant is entitled to deal with the land measuring an extent of 1 Acre 17 Cents with the owner viz., M/s.Freudenberg Performance Materials Private Limited.

12.11.2025

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Index: Yes/No

Speaking Order (or) Non-Speaking Order

To

1.The XVI Additional Sessions Judge, Chennai.

2.The Inspector of Police,
Central Crime Branch,
Team XVIII A, Chennai – 600 006.

3.The Public Prosecutor,
High Court, Madras.

T.V.THAMILSELVI, J.

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WEB COPY



Crl.A.No.335 of 2025

Crl.A.No.335 of 2025

12.11.2025