



CrI.O.P.No.9897 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.9897 of 2023

and

CrI.M.P.No.6498 of 2023

G.Saratha

... Petitioner

Vs.

1. State of Tamil Nadu rep. by
The Inspector of Police
District Crime Branch, Chengalpattu
Chengalpattu District

2. Boopathy

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S.
to call for the records in Crime No.4 of 2022 pending on the file of the
Inspector of Police, District Crime Branch, Chengalpattu, Chengalpattu
District and quash the FIR.

For Petitioner : Mr.K.S.Arumugam

For R1 : Mr.K.M.D.Muhilan
Additional Public Prosecutor

For R2 : No Appearance



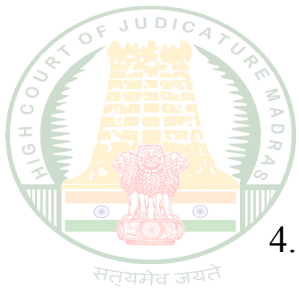
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ORDER

WEB COPY This Criminal Original Petition has been filed to quash the FIR in Crime No.4 of 2022 dated 11.02.2022 pending on the file of the Inspector of Police, District Crime Branch, Chengalpattu, Chengalpattu District, for the offences under Sections 409, 418, 465, 468, 471, 474 of IPC.

2. According to the petitioner, the FIR has been registered only to extract money from the petitioner. The petitioner is a bonafide purchaser of the disputed property originally owned by one Rangabashiyam. After his death, his legal heirs, executed a power deed in favour of one Arun. From the said Arun/power of attorney, the petitioner purchased the property. Now the allegation is that, the said Arun along with the petitioner forged the life certificate.

3. The contention of the learned counsel for the petitioner is that, after purchasing the property, the petitioner developed the property. Subsequently, compromise was reached between the parties and sufficient compensation was also paid to all the parties, pursuant to the same, the suit instituted by the 2nd respondent before the Principal District Court, Chengalpattu, in O.S.No.177 of 2020 was also withdrawn. To substantiate his contention, the proceedings of the said Court has also been filed before this Court.



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4. Today (09.10.2025), the brother of the defacto complainant one

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Srinivasan is also present before this Court and he admitted that they all received money and signed the compromise. The original compromise affidavit dated 25.03.2023, signed by the parties has been placed before this Court. Though the defacto complainant/2nd respondent had entered appearance through counsel, there is no representation for the 2nd respondent.

5. Be that as it may. The entire FIR makes it clear that the allegations are against the power agent namely Arun. Though an allegation is made as if the petitioner also joined with the power agent and registered the documents, only after execution of the power of attorney by all the legal heirs of Rangabashiyam, the property has been purchased by the petitioner from the power agent. Even assuming that the power agent has forged the life certificate, that allegation will bind only against the power agent and the petitioner being the purchaser, cannot be made as an accused. Even if the entire allegation is taken as true, the same will not make any offence.

6. Considering the above facts and circumstances and the compromise affidavit dated 25.03.2023, signed by the parties including the defacto complainant and that, the brother of the defacto complainant is also present before this Court, this Court is of the view that the FIR has been



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filed only to extract money.

WEB COPY 7. Hence, the FIR against the petitioner in Crime No.4 of 2022 dated

11.02.2022 on the file of the 1st respondent-Police, is quashed.

8. Accordingly, this Criminal Original Petition is allowed.

Consequently, the connected Miscellaneous Petition is closed.

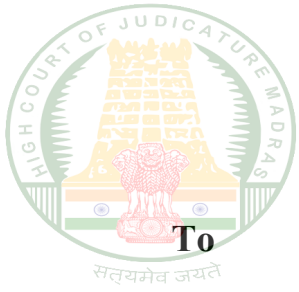
09.10.2025

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



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To

WEB COPY

1. The Inspector of Police
District Crime Branch, Chengalpattu
Chengalpattu District
2. The Public Prosecutor
High Court of Madras



WEB COPY



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N. SATHISH KUMAR, J.

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