



Crl.RC.No.565 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.565 of 2025 and

Crl.M.P.No.8548 of 2025

Kasthuri

... Petitioner

Vs.

1. Paraspara Sahaya Nidhi (Perambur), Limited

Reg. No.2, Bharathi Road,
Perambur, Chennai - 600 011

2. State Rep. by

Deputy Superintendent of Police
EOW, Chennai
(Crime No.5 of 2023)

3. The District Revenue Officer

Raraji Salai, Fourth Floor,
62, Beach Road, George Town
Chennai - 600 001

... Respondents

Prayer: Criminal Revision Case filed under under Sections 438 read with 442 of B.N.S.S. to call for the records relating to the order passed in



Crl.RC.No.565 of 2025

Crl.M.P.No.801 of 2024 by the learned Special Judge, Special Court under TNPID Act, Chennai and set aside the order dated 21.0.2025, consequentially direct the respondent to return the title deed.

For Petitioner : Mr.B.Francis Xavier
For Respondents 2 and 3 : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Criminal Revision Petition has been filed by the petitioner to set aside the order passed in Crl.M.P.No.801 of 2024 dated 21.0.2025 by the learned Special Judge, Special Court under TNPID Act, Chennai and consequently direct the respondent to return the title deed.

2. The case of the petitioner/third party is that the petitioner is the absolute owner of the plot with building bearing Old Door No.41, New No.1, Gandhi Street, Anganvadi School, Manali, Chennai - 600 068 and the property of 1440 sq.ft was settled to the petitioner through registered settlement deed vide document No.8187/2025 before the SRO at Thiruvottiyur, dated 04.09.2008. The petitioner mortgaged the property for a sum of Rs.7 lakhs in



Crl.RC.No.565 of 2025

favour of the 1st respondent/Company and her daughter and son were also

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included as co-applicants in the mortgage deed bearing Document No.4957 of 2011 before the SRO, Thiruvottiur for a tenure of 84 months with assigned loan account No.PL1809 on 14.05.2016 with equated monthly installments of Rs.15,540/- at the rate of 19.5% interest. In the year 2016, the petitioner approached the 1st respondent/Company for top-up loan and they disbursed additional loan amount of Rs.5 lakhs for rate of interest at 18% per annum and monthly installment of Rs.10,500/- for tenure of 84 months with newly assigned loan account No.PL927 on 12.07.2016. Thereafter, when the petitioner decided to close the loan account in the month of March 2023, the said company was indefinitely closed. Immediately, the petitioner went to the local police station to lodge a complaint about the 1st respondent/Company wherein the officials told that the 1st respondent/Company was closed and its officials were arrested and the police seized all the documents and they advised the petitioner to wait for some days and to get the registered original documents through Court. Due



Crl.RC.No.565 of 2025

to petitioner's old age and ill health the petitioner filed a petition invoking

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Section 451 of Cr.P.C. before the Special Judge, Special Court under TNPID

Act, Chennai in Crl.M.P.No.801 of 2024 seeking return of all her original

documents and other documents in the mortgage in Doc.No.4957/2016 relating

to the said property and to direct the respondents to cancel the said mortgage

deed of the property at Thiruvottiyur SRO in favour of the 1st respondent/

Company stating that the petitioner is ready to pay full and final settlement of

the outstanding loan amount. Though the said petition was ordered, the learned

Judge, charged exorbitant interest for the fraud, malpractice and default

committed by the 1st respondent/Company and its officials and mechanically

passed the order. The operative portion of the order reads as follows:

*"In the result, the petitioner is ordered and
thereby the petitioner/3rd party is directed to
deposit a sum of Rs.3,42,317/- towards the
discharge of the entire loan amount in Loan
Account Number PL927 dated 12.07.2016 and as*



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CrI.RC.No.565 of 2025

such as sum of Rs.8,82,655/- towards discharge of the entire loan amount in loan account number PL809 dated 18.05.2015, by means of a fixed deposit receipts in the name of District Revenue Officer, Chennai within a period of one month and produce the fixed deposit receipt before this court and on such production of fixed deposit receipt, respondents 2 and 3 are directed to return the original documents (1) Settlement deed in Doc.No.8187/2018, dated 04.09.2008, (2) Mortgage deed in Doc.NO.4357/2016 dated 14.05.2015, (3) Copy of Patta, (4) Unregistered parent document in favour of petitioner's husband Mr.Kasi and cancel the mortgage deed in Doc.No.4957/2016 on the file of SRO, Thiruvottiyur by the expenses of the petitioner."

3. The learned Additional Public Prosecutor appearing for the respondents 2 and 3 submitted that the investigation in Crime No.5 of 2023 has



Crl.RC.No.565 of 2025

been completed and the charge sheet has also been filed and the same is yet to

be taken on file. He further submitted that the petitioner is a third party in this case.

4. Heard and perused the materials available on record.

5. It is seen that the petitioner is a third party. Since the charge-sheet has already been filed, the petitioner is at liberty to work out her remedy before the trial Court.

6. Accordingly, this Criminal Revision Case is dismissed at the admission stage itself. Consequently, the connected Miscellaneous Petition is closed.

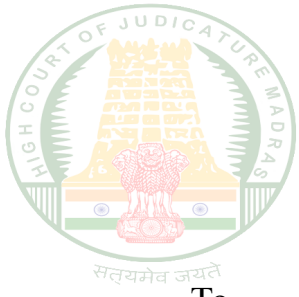
25.04.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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Crl.RC.No.565 of 2025

To

WEB COPY

1. The Special Judge, Special Court under TNPID Act,
Chennai
2. The Deputy Superintendent of Police
EOW, Chennai
3. The District Revenue Officer
Raraji Salai, Fourth Floor,
62, Beach Road, George Town
Chennai - 600 001
4. The Public Prosecutor
High Court of Madras
5. The Section Officer, Criminal Section, High Court, Madras.



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Crl.RC.No.565 of 2025

P.VELMURUGAN. J.

Ksa-2

Crl.RC.No.565 of 2025

25.04.2025