



*Crl.R.C.Nos.801, 802 & 830 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.Nos.801, 802 & 830 of 2025

and

Crl.M.P.Nos.11309, 11341 & 11479 of 2025

Crl.R.C.No.801 of 2025

Jeya Suresh Jayaraj

..... Petitioner

Vs

The State Rep by its,  
Inspector of Police,  
CBCID, Ariyalur,  
Crime No.4 of 2020

..... Respondent

**PRAYER:** Criminal Revision Case is filed under Sections 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the entire records and set aside the order passed in Cr.M.P.No.1324 of 2023 in C.C.No.16 of 2022 on the file of the learned Judicial Magistrate No.I, Ariyalur dated 19.03.2025 and allow the present criminal revision petition.

Crl.R.C.No.802 of 2025

Jayakumari

..... Petitioner

Vs

The State Rep by its,  
Inspector of Police,  
CBCID, Ariyalur,  
Crime No.4 of 2020

..... Respondent

**PRAYER:** Criminal Revision Case is filed under Sections 438 r/w 442 of the



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Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the entire records and set aside the order passed in Cr.M.P.No.573 of 2023 in C.C.No.16 of 2022 on the file of the learned Judicial Magistrate No.I, Ariyalur dated 19.03.2025 and allow the present criminal revision petition.

Crl.R.C.No.830 of 2025

1.Sakthi Sathish

2.B.Srinivasan

..... Petitioners

Vs

The State Rep by its,  
Inspector of Police,  
CBCID, Ariyalur,  
Crime No.4 of 2020

..... Respondent

**PRAYER:** Criminal Revision Case is filed under Sections 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the entire records and set aside the order passed in Cr.M.P.No.1323 of 2023 in C.C.No.16 of 2022 on the file of the learned Judicial Magistrate No.I, Ariyalur dated 19.03.2025 and allow the present criminal revision petition.

For Petitioner  
(in Crl.RC.No.801 of 2025) : Mr.K.Samidurai

For Petitioner  
(in Crl.RC.No.802 of 2025) : Mr.S.Anburaja

For Petitioners  
(in Crl.RC.No.830 of 2025) : Mr.K.Balaji

For Respondent : Mr.A.Gopinath  
(in all Crl.R.Cs) Govt. Advocate (Crl. Side)

### **COMMON ORDER**

These Criminal Revisions have been filed challenging the order of



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dismissal passed by the Trial Court, thereby dismissing the petition filed by the petitioners seeking discharge from all the charges.

2. The petitioner in Crl.RC.No.801 of 2025 is arrayed as A3 ; the petitioner in Crl.RC.No.802 of 2025 is arrayed as A5 and the petitioners in Crl.RC No.830 of 2025 are arrayed as A1 & A2. The case of the prosecution is that on 25.05.2012, the defacto complainant approached Jayaraj Kars Showroom to purchase a new Chevrolet Beat Diesel car. It is alleged that all the accused conspired together and concealed the fact that an invoice had already been generated in the name of one Saravana Kumar for the said vehicle. Thereafter, a fake invoice was prepared by the accused, wherein the TIN number was mentioned as for the year 1900 instead of incorporating a barcode. Further, the name and address of the earlier purchaser were concealed in the sale certificate and Form No.21 using whitener and the name and address of the defacto complainant were substituted in their place. With full knowledge, the accused submitted the forged invoice to the Regional Transport Officer as a genuine document and obtained a temporary registration certificate in the name of the defacto complainant. The vehicle- Chevrolet BEAT TCDI LT BS4 Diesel (Sandrift Color) was thereafter delivered to the defacto complainant. Admittedly, the vehicle was registered only in the name of the defacto



complainant. However, there was bar coding in the invoice issued to Saravana

Kumar, whereas in the invoice, which was issued to the defacto complainant, bar coding is not mentioned and the date of the TIN number is wrongly mentioned as 1900. Thus, the invoice, which was issued in favour of the defacto complainant, is a fake one. Hence, the complaint.

3. Based on the complaint, the respondent registered an FIR in Crime No.4 of 2020 for the offences punishable under Sections 406, 420, 468, 471 r/w 120B of IPC. After completion of the investigation, a final report was filed and the same has been taken cognizance by the Judicial Magistrate No.I, Ariyalur in C.C.No.16 of 2022. Pending the framing of charges, the petitioners filed petitions seeking discharge from all the charges and the same were dismissed. Aggrieved by the same, the present Criminal Revisions filed by A1, A2, A3 and A5. Pending investigation, A4 died and therefore, all the charges against A4 stood abated.

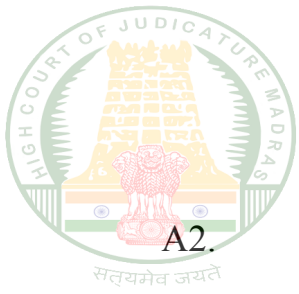
4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. A perusal of the statement recorded from the defacto complainant and other witnesses and also the materials produced by the



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prosecution reveals that the complainant approached the first accused, who was working as a salesman at Jayaraj Kars, on 25.05.2012 at about 3.50 p.m. to purchase a Chevrolet Beat TCDI LT BS4 Diesel Car. The first accused informed that, if the booking was made between 25.05.2012 and 27.05.2012 under the benefits of “Chevrolet Blockbuster Weekend Scheme” for Spark Base Non-Metallic (LPA/Petrol, B) , Beat Base Non-Metallic (Petrol Diesel/LPA/C) models, the complainant would definitely receive one of the following gifts : a Panasonic 32' LCD TV (or) a Panasonic Home Theatre (or) a Panasonic Camcorder & Panasonic DVD Player and insisted the complainant to book the car on the date itself. Believing the said words, the complainant deposited a sum of Rs.5,000/- as advance. Thereafter, the complainant was informed by the first accused that, in order to avail the full benefits under the scheme, an additional sum of Rs.25,000/- must be deposited. The first accused also informed that apart from the vehicle, certain accessories such as a car cover, flooring mat, mud flop and remote locking system would also be provided. Therefore, on 26.05.2012, the complainant deposited a sum of Rs.20,000/- into the account of A1. After booking the car in advance, A1 informed the complainant that in their show room, there is no cars available for show case and as such, the complainant was advised to approach the Trichy Branch of Jeyaraj Kars, where he met the sales person viz., Srinivasan, who is arrayed as



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6. Therefore, the complainant, along with her family members, went to Trichy and met A2 on 02.06.2012 at around 3.00 p.m. Thereafter, the second accused had shown the car, which was already sold out in favour of one Saravana Kumar, as a new one and insisted the complainant to purchase the same. Believing the said words, the complainant purchased the said car by availing loan arranged by A1 and took delivery of the car on 11.06.2012. The complainant and her family members used the car till 10.07.2012. During the first service, in the service station, they raised query that the car was not plying for the past six months and informed the complainant as the second owner. Thereafter, on verification of all the documents including Form 21, already the sale certificate was issued in favour of the said Saravana Kumar and the name in the relevant records had been tampered with using whitener and sold out in favour of the complainant. Further, the invoices already raised in favour of the said Saravana Kumar for a sum of Rs.4,38,766/- on 30.01.2012. The same car was fraudulently sold again to the complainant suppressing the earlier sale that too for higher price of Rs.5,36,702/-. Further though the first accused assured that the accessories of the car, such as a car cover, flooring mat, mud flog and remote locking system would be provided for free of cost, those accessories



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were provided only of Rs.1,700/-. Further no prize was awarded to the

WEB complainant.

7. Therefore, A1 and A2 conspired together and cheated the complainant. Immediately, it was informed to the Proprietor of Jayaraj Kars, viz., Jeya suresh Jayaraj, who is arrayed as A3 and the petitioner in Crl.RC.No.801 of 2025 by the complainant. However, the first accused did not answer properly. Therefore, the complainant issued a legal notice to the Branch Manager of Jayaraj Karz, Perambalur and the Regional Manager of Jayaraj Karz, Trichy. They assured that they will visit the complainant's residence on 06.08.2012 at about 3.30 p.m. However, they failed to turn up as promised. Subsequently, on 08.11.2012, the HR Manager, one Antony Suresh Moses, and the Customer Service Officer, viz., Jayakumari, who is arrayed as A5 and petitioner in Crl.RC.No.805 of 2025, along with the second accused, visited the complainant for negotiation. During the meeting, they threatened the complainant stating that Jayaraj Kars is a big establishment and no action can be taken against them.

8. The above stated facts and records reveal that from the inception, the complainant was cheated by A1 and A2, who were working as



sales representatives of Jayaraj Karz of Perambalur and Trichy respectively.

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The other accused persons, viz., A3 to A5, have no way involved in any transaction with the complainant at any point of time. In fact, the advance amount was deposited into the personal account of A1. No prudent person would deposit such an amount into the personal account of a salesman account. Further, admittedly, the complainant had deposited the advance amount in the personal account of A1. Therefore, there are neither materials nor allegations against A3 to A5 warranting the framing of charges under Sections 406, 468, 471 and 420 of IPC. However, the Trial Court, without considering the facts and circumstances, dismissed the discharge petitions filed by A3 to A5 for the reason that the materials produced could only be examined at the time of framing of charges. It is pertinent to note that after framing of charges, no question of discharge of the accused. Therefore, the Trial Court ought to have considered, prior to the framing of charges, whether there were any materials and statements available on record to frame charges as against the accused. In the case on hand, as stated supra, there is absolutely no material or any allegation as against A3 to A5 to frame charges for the offences under Sections 406, 468, 471 and 420 of IPC as alleged by the prosecution.

9. In view of the above, this Court is of the considered opinion that the impugned orders passed by the Trial Court, insofar as they relate to the



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petitioners in Crl.R.C.No.801 of 2025/A3 and Crl.RC.No.802 of 2025/A5,

cannot be sustained and are liable to be set aside. Accordingly, the said orders are hereby set aside. The petitioners in Crl.R.C.Nos.801 and 802 of 2025 , viz., A3 and A5 are discharged from all the charges. Accordingly, Crl.R.C.Nos.801 & 802 of 2025 are allowed. Consequently, connected miscellaneous petitions are closed.

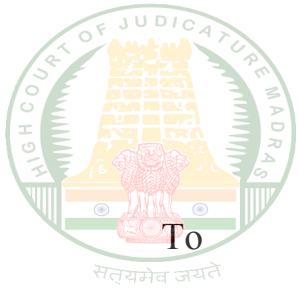
10. However, as regards A1 and A2, there are specific materials and allegations are very much available on record against them. As such, the Trial Court rightly dismissed their discharge petitions and this Court finds no infirmity or illegality in the order passed by the Trial Court in Crl.M.P.No.1323 of 2023 in C.C.No.16 of 2022. Accordingly, Crl.R.C.No.830 of 2025 is dismissed. Consequently, connected miscellaneous petition is closed.

19.06.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order  
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**G.K.ILANTHIRAIYAN, J.**

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1. The Judicial Magistrate No.I,  
Ariyalur.

2. The Inspector of Police,  
CBCID, Ariyalur,

3. The Public Prosecutor,  
High Court, Madras.

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