



CrI.O.P.No.19676 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 15.07.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.19676 of 2025

S.Esakimuthu

... Petitioner

Vs.

1. The State represented by
The Inspector of Police
Central Crime Branch, Beta-8
Fake Document Investigation Wing
Vepery, Chennai - 7

2. L.Vijay Anand
Authorised Representative
C/o.Tamil Nadu Urban Habitat Development
Board (TNUHDB)

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to call for records in exercise of its extraordinary jurisdiction under Section 528 of BNSS and in the interest of justice, may be pleased to quash all proceedings in CCB Crime No.15 of 2025 pending on the file of the respondent police in so far as the petitioner is concerned.



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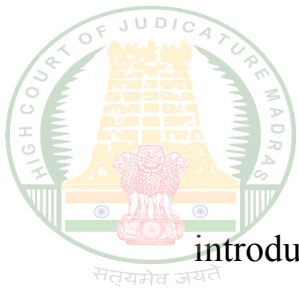
For Petitioner : Mr.S.Natarajan
For First Respondent : Dr.C.E.Pratap
Govt. Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner to quash all proceedings in CCB Crime No.15 of 2025 pending on the file of the respondent police in so far as the petitioner is concerned.

2. The learned counsel for the petitioner submitted that the petitioner has been arrayed as A5 in FIR No.15 of 2025 alleging that the petitioner along with other accused under the guise of securing house allotment from the Tamil Nadu Urban Habitat Development Board, collected crores of money from the gullible people and issued fake allotment orders and thereby cheated the public. The contention of the learned counsel for the petitioner is that the petitioner is no way connected with the alleged offence. In fact the petitioner is a victim of this case. The petitioner himself has invested Rs.21 lakhs for his family members believing that these allotments are genuine one and thereby,

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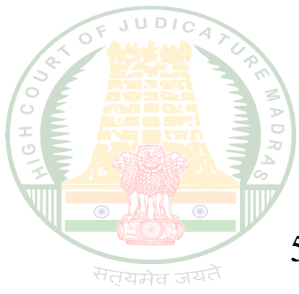
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introduced 16 other people for the allotments of houses. The learned counsel

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further submitted that, while granting bail to the petitioner, the learned Magistrate imposed a condition directing the petitioner to deposit a sum of Rs.4 lakhs to the credit of crime number, collected by the petitioner from the victims towards commission. In compliance of the same, the petitioner has also deposited the said amount to the credit of crime number. He further submitted that there is no material to proceed the case as against the petitioner. Therefore, the FIR as against the petitioner in Crime No.15 of 2025, is liable to be quashed.

3. The learned Government Advocate (Crl. Side) appearing for the first respondent police submitted that the petitioner has been arrayed as A5 and there is a specific overt-act against him.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the first respondent and also perused the materials available on record.



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5. Since no adverse order is being passed against the second respondent, notice to the second respondent is dispensed with.

6. A perusal of the records shows that there are allegations against the petitioner. Even though the petitioner submitted that he has deposited the sum of Rs.4 lakhs to the credit of the crime number collected by him from the victims towards commission, the involvement of the petitioner would reveal only after the investigation.

7. Therefore, the petitioner is not entitled to the relief sought for and the grounds taken by the petitioner is nothing but defence, which can be agitated only before the trial Court during trial.

8. Accordingly, this Criminal Original Petition is dismissed at the admission stage itself.

15.07.2025

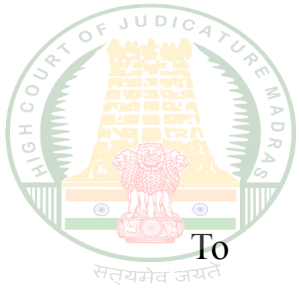
Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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1. The Inspector of Police
Central Crime Branch, Beta-8
Fake Document Investigation Wing
Vepery, Chennai - 7
2. The Public Prosecutor
High Court of Madras, Chennai.



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P.VELMURUGAN,J.

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