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CRL OP No. 18787 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 18787 of 2025 & CrI.M.P.No.18787 of 2025

1. K.Venkatesh Chellam
S/o. V.C.Krishna Murthy, 20, 2nd
Cross, Parappanna Agrahara, Bangaluru
- 560010.

Petitioner(s)

Vs

1. The State rep by, The Assistant
Commissioner of Police,
Central Crime Branch, EDF-1 Wing,
Veppery, Chennai - 600007.

2.Venkatesh Kannappan,
s/o. Kannappan, A11, Apple Block,
Appasamy Orchards, 85-87, Arcot
Road, Vadapalani, Chennai - 600026.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records relating to the impugned FIR in Crime No. 96/2025 on the file of the 1st respondent, quash the same by allowing this Criminal Original petition.



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For Petitioner(s): Mr.N. Manoharan

For Respondent(s): Mr.K.M.D.Muhilan,
Additional Public Prosecutor - R1

Mr.A.Ramesh, Senior Counsel
for Mr.R.Ashwin - R2

ORDER

Challenging the First Information Report registered in Crime No.96 of 2025 on the file of the first respondent for the offence under section 420 of IPC, the present Criminal Original Petition has been filed.

2. The case of the prosecution is that the petitioner is a civil contractor, who got acquaintance with the second respondent through one Srinivasan in the month of January 2022 and that the second respondent and his wife invested a sum of Rs.4.49 crores on the basis of an assurance given by the petitioner to generate Rs.7 crores within a period of 2 years as per the email communication dated 18.02.2022. The further case of the prosecution is that the petitioner had executed a power of attorney in favour of the second respondent to develop the property and the petitioner had cancelled the power of attorney without the



knowledge of the second respondent with an intention to swindle the sale proceeds from the above project. Hence, the second respondent had preferred the complaint and the First Information Report came to be registered.

3. It is the contention of the petitioner that a perusal of the First Information Report indicate that it is only a money transaction between the parties and even if it is admitted, no dishonest intention can be seen or inferred and the dispute in the First Information Report is only with regard to the cancellation of the General Power of Attorney.

4. The learned Government Advocate [Criminal Side] filed a status report and submitted that the investigation is at the nascent stage and to unearth the truth, the investigation has to be proceeded and sought for dismissal of this petition.

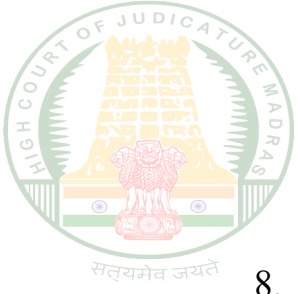
5. Heard both sides and perused entire materials available on record.



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6. A perusal of the First Information Report, though it appears as if it is a commercial transaction, the fact remains that there are allegations to the effect that the second respondent was induced to part with money. Though much reliance has been placed on the Power of Attorney, the very Power of Attorney appears to be coupled with interest and a sum of Rs.6 lakhs has been paid towards stamps at the time of the registration of the Power of Attorney. Be that as it may.

7. A perusal of the status report indicate that deep probe is required. Though it is the contention of the learned counsel appearing for the petitioner that it is a contractual dispute, the status report and the investigation done by the prosecution reveals that beyond the agreement, there is more in it and the same has to be unearthed and there is criminality in this matter. Therefore, let the first respondent proceed with the investigation and file the final report. At this stage, this Court is not inclined to quash the First Information Report.



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8. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petition is closed.

07-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Assistant Commissioner of
Police,
Central Crime Branch, EDF-1 Wing,
Veppery, Chennai – 600007.

2. The Public Prosecutor,
High Court, Madras.



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N.SATHISH KUMAR J.

VRC

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