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Crl.RC.No.1096 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2025

CORAM:

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

Crl.RC.No.1096 of 2025

Sri Devi

... Petitioner

Vs.

1.Selvakumar

2.Arul Ganesan

3.Sathiyavasagam

4.Kavitha

5.Branch Manager, M/s.Punjab and Sind Bank

Represented by its authorized officer,

No.118, Kamatchi Amman Kovil Street,

Behind the Old Bus Stand,

Tiruppur Branch,

Tiruppur 641 604

6.The Inspector of Police,

City Crime Branch II PS,

Coimbatore

.. Respondents

PRAYER: Criminal Revision Case filed under Section 438 and 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order passed by the learned Judicial Magistrate No.VII of Coimbatore in CMP.No.3672 of 2025 dated 16.05.2025.

For Petitioner : M/s.T.Hemalatha

For Respondents



WEB COPY



Crl.RC.No.1096 of 2025

For R6 : Mr.A.Gopinath,
Government Advocate(crl.side)

For R1 : Mr.P.Tamilavel

For R5 : Mr.J.Senthil Kumar

For R2 to 4 : No appearance

ORDER

This criminal revision case has been filed against the order passed by the learned Judicial Magistrate No.VII of Coimbatore in CMP.No.3672 of 2025 dated 16.05.2025, thereby dismissed the petition filed under Section 175(3) of BNSS.

2. Heard, the learned counsel for the petitioner, respondents 1 & 5 and learned Government Advocate(crl.side) appearing for the sixth respondent and perused, all the materials placed before this Court.

3. On perusal of the complaint lodged by the petitioner, it is revealed that the petitioner's mother had purchased the subject property and later it was purchased by the petitioner in the year 2003. Thereafter, the petitioner constructed a house. However, she did not have money to



Crl.RC.No.1096 of 2025

WEB COPY

complete the construction and as such the property was mortgaged and availed loan through bank. However, the accused persons executed sale deed in their favour instead of mortgage deed. According to the petitioner, the petitioner never executed any sale deed and she did not receive any sale consideration, but the learned Magistrate concluded that all the allegations are civil in nature and as such, no cognizance is made out for registration of FIR.

4. However, this Court finds that the allegations disclose cognizable offence against the accused persons. In view of the same, this Court is inclined to set aside the impugned order. Accordingly, the impugned order passed by the learned Judicial Magistrate No.VII of Coimbatore in CMP.No.3672 of 2025 dated 16.05.2025, is set aside. The sixth respondent is directed to register FIR on the complaint lodged by the petitioner against the accused persons and proceed with the investigation in accordance with law.

5. With the above direction, this criminal revision case stands



Crl.RC.No.1096 of 2025

allowed.
WEB COPY

13.08.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
lok



Crl.RC.No.1096 of 2025

WEB COPY

To

- 1.The learned Judicial Magistrate No.VII of Coimbatore
- 2.Authorized officer,
Branch Manager, M/s.Punjab and Sind Bank,
No.118, Kamatchi Amman Kovil Street,
Behind the Old Bus Stand,
Tiruppur Branch,
Tiruppur 641 604
- 3.The Inspector of Police,
City Crime Branch II PS,
Coimbatore
- 4.The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.RC.No.1096 of 2025

G.K.ILANTHIRAIYAN, J.
lok

Crl.RC.No.1096 of 2025

13.08.2025