



Crl.R.C.No.987 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2025

CORAM:

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

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E.Jayakumar

..... Petitioner

Vs

1.Maha Ganesh

2.Punniyakodi

3.State by
Inspector of Police,
CCB, Vepery,
Chennai-600 007.

..... Respondents

PRAYER: Criminal Revision Case is filed under Sections 438 r/w 442 of the BNSS, 2023 to set aside the order dated 09.03.2025 of the Learned Special Judge for CCB, CBCID Metro Cases, Egmore, Chennai in Crl.M.P.No.75738 of 2024.

For Petitioner	: Mr.A.Nagarajan
For Respondent	: Mr.A.Gopinath, Government Advocate (Crl.side)



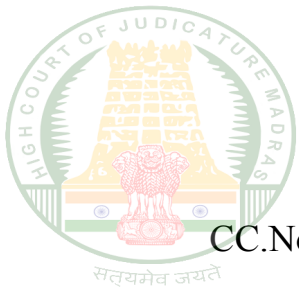
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ORDER

WEB COPY This Criminal Revision Case has been preferred as against the order passed in Crl.M.P.No.75738 of 2024 dated 09.03.2025 thereby dismissed the petition filed by the petitioner under Section 175(3) of BNSS seeking direction to register the FIR against the accused.

2. Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the third respondent and perused the materials available on record.

3. On perusal of the complaint filed by the petitioner, he purchased the subject property from his vendor and registered vide document No.11229/2021 on 25.11.2021 for valid sale consideration. Subsequently, he found that the vendor has no title over the property and he has sold out the property by way of fabricated and forged documents for which already the vendor and others are facing prosecution in Crime No.193 of 2022 registered for the offences punishable under Sections 120 B, 34, 419, 465, 467, 468, 471 of IPC in which the petitioner is also arrayed as accused. After completion of investigation, Anti land grabbing Special Cell filed a final report that has been taken cognizance in



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CC.No.4727 of 2023 on the file of the Court of the Metropolitan Magistrate, For Exclusive Trial of CCB cases (Relating to Cheating Cases in Chennai) and CBCID Metro Cases, Egmore, Chennai-08. Therefore, the petitioner who is being the bonafide purchaser of the property, filed a petition before this Court in Crl.O.P.No.25297 of 2023 and this Court vide order dated 16.11.2023 passed entire proceedings as against the petitioner alone.

4. It is the case of the petitioner that he was cheated by his vendors to the tune of Rs.2 Crores. Therefore the petitioner lodged a separate complaint as against the vendor. However, the said complaint was not considered by the third respondent since the petitioner now has been shown as witness in C.C.No.4727 of 2023 filed in Crime No.193 of 2023. On perusal of the order passed by this Court in Crl.O.P.No. 25297 of 2023 dated 16.11.2023, while quashing the entire proceedings as against the petitioner, directed investigation agency to make an attempt to recover the money from the accused and add the petitioner as witness to the prosecution case. However, no action has been taken as against the accused. Therefore the petitioner lodged a private complaint and sought for direction under section 175(3) of BNSS however the trial court



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without considering the same dismissed the petition since already the accused in the complaint lodged by the petitioner are facing trial in C.C.No.4727 of 2023.

5. In view of the above, this Court is inclined to set aside the order 09.03.2025 passed in Crl.M.P.No.75738 of 2024 on the file of the court of Special Judge for CCB, CBCID Metro Cases, Egmore, Chennai. Accordingly the same is hereby set aside. The Inspector of Police, CCB, Veperiy is directed to register the FIR as against the petitioner's vendors and proceed in accordance with law.

6. With the above direction, this Criminal Revision Case stands allowed.

07.07.2025

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

Nhs

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1. The Special Judge, for CCB, CBCID Metro Cases,
Egmore, Chennai.

2. The Inspector of Police,
CCB, Vepery,
Chennai-600 007.

3. The Public Prosecutor,
Madras High Court.



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G.K.ILANTHIRAIYAN, J.

Nhs

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