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CRL RC No. 1545 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 1545 of 2023

1. P.S.Jayanthi
W/o. Srinivasulu, F-204, Whitefield
Mudra Phase, shirdi Shelters,
Vadakkupattu Main Road,
Medavakkam, chennai - 600100.

Petitioner(s)

Vs

1. The Inspector Of Police
Central Crime Branch, Vepery, Chennai
- 600007.

2.K.V.Devakumar
Son of V.Venugopal, Door No.1/26,
Vasudevan Street, East Coast Road,
Kottivakkam, Chennai-600041 (R2 is
impleaded as per the order of this court
dated 04.09.2025 in Crl.MP.No.3782 of
2024 in Crl.RC.No.1545 of 2023)

Respondent(s)

CRL RC No. 1545 of 2023

PRAYER

To call for the records pertaining to Crl.MP.No. 9180 of 2022 on the file of the Metropolitan Magistrate Court, Egmore for CCB/CB-CID Cases and by setting aside the order dated 05.04.2023 passed in it which is with illegality, irregular and incorrect statements to therefore pass orders directing the respondent herein to take up a fresh enquiry and investigation in Crime No. 187/2012.



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For Petitioner(s): A. Nagarajan

For Respondent(s): Dr.C.E. Pratap,
Government Advocate (Crl. side)

ORDER

This Criminal Revision Case has been filed to set aside the judgment dated 05.04.2023 passed by the Metropolitan Magistrate Court, Egmore for CCB/CB-CID Cases.

2. The petitioner here filed protest petition against the charge sheet filed by the respondent police in Crime No. 187 of 2012 but the said petition was dismissed by the Trial Court as no merits. Aggrieved over the same, the petitioner filed this petition.

3. The learned counsel for the petitioner submits that the property belongs to petitioner's husband Srinivasulu along with other brothers, which was originally belonged to her father-in-law/Sarangapani. Thereafter, the partition was effected among the legal heirs of Saranagapani in the year 1974, in which her husband allotted with 79 cents in S.No. 64 and another 1 acre was allotted in S.No. 79 at Chennai Palavakkam. On 25.04.1975, her husband's brother/Sri Ramalu had executed a power of attorney in favour of Lakshminarayanan to maintain the said properties and the same was cancelled on 17.05.1977. While so, by creating fabricated documents said Lakshminarayanan created power of attorney on 07.11.1981 and sold the said



property to third parties through document No. 2145/1982. On knowing about the same, when the petitioner's husband enquired about the same the said

LakshmiNarayanan threatened the petitioner's husband with dire consequences.

Thereafter, in order to safeguard the property, the petitioner's husband executed power of attorney in favour of one Ravi. Thereafter, the petitioner's husband and Ravi raised objection before the RDO to cancel the patta granted based on the power of attorney. After enquiry RDO cancelled the patta and directed to take penal action against the said Lakshmi Naryanan. During the life time of her husband, he approached lot of authorities in respect of fabrication of power of attorney. Thereafter, he gave a complaint in crime No. 187 of 2012 on the file of the respondent police which conducted investigation found that power of attorney is valid one. Accordingly, closed the case as mistake of facts as there is no prima facie material against Lakshmi Narayanan in respect of fabrication of records. Against which, the petitioner filed protest petition before the Trial Court but the same was dismissed by holding that as per expert opinion the signature of the Srinivalsalu is valid one, hence, there is no sufficient material against the accused in respect of fabrication of records. Aggrieved over the same, the petitioner filed this Criminal Revision Case.

4. The learned counsel for the petitioner submits that during the life time of the petitioner's husband/Srinivasalu along with his brothers got property in the year 1974 through partition held among the family members. Thereafter, Lakshminarayann one of the cousin obtained power of attorney deed in the year



1977 from the petitioner's husband/Srinivasalu and cancelled the same.

Thereafter in the year 1981, the said Lakshminaryanan created fabricated power of attorney sold the property to third parties without his knowledge. However, without considering the above facts the Trial Court dismissed the protest petition filed by the petitioner.

5. Heard both sides.

6. On perusal of records, the fact reveals that during the life time of the petitioner's husband/Srinivasalu had raised objection with regard to property sold to third parties without his consent by using fabricated power of attorney in the year 1981 by one Lakshminarayanan. One K.V. Devakumar, has purchased the property through fabricated power of attorney against him the petitioner is not having any grievances, the petitioner wants to know as to who has executed manipulated power of attorney. The Trial Court held that expert opined that the signature in the power of attorney is valid one. However, in the expert opinion, signature of Srinivasalu was not compared with the admitted signature of the Srinivasalu at contemporary period which was available with the bank as well as service records. The petitioner alleged that entire power of attorney as well as registration of the document itself was fabricated by the said Lakshminarayanan without consent of Srinivasalu. Further, the signature sent for expert opinion which is under dispute. Therefore, the document sent by the respondent police for expert opinion is under dispute and even the respondent police has not sent the contemporary period document for expert opinion.



Hence, the expert opinion obtained by the respondent police is incorrect one and the same cannot be taken into consideration. Accordingly, the order passed by the Trial Court in CrI.MP. No. 9180 of 2022 is set aside. The respondent is directed to conduct further investigation in crime No. 187 of 2012.

7. In the result, this Criminal Revision Case is Disposed of.

09-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Inspector of Police, Central Crime Branch, Vapery, Chennai.

2. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.
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