



Crl.O.P.No.20417 of 2023 and Crl.O.P.No.4868 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.20417 of 2023 and Crl.O.P.No.4868 of 2025
and
Crl.M.P.No.13872 of 2023 and 3157 of 2025

Crl.O.P.No.20417 of 2023

1. Premkumar

2. Vijay

3. Durai

... Petitioners

Vs

1. The Inspector of Police,
Jalakandapuram Police Station,
Salem District.
(Crime No.132 of 2023)

2. S.P.Ravi

... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the F.I.R in Crime No.132 of 2023 on the file of the first respondent Police and quash the same against the petitioners/A3, A5 and A7 alone.



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Crl.O.P.No.4868 of 2025

1. P.S.Sasikumar

2. C.Arulmozhi

... Petitioners

Vs

1. The State Rep. by
The Inspector of Police,
Jalakandapuram Police Station,
Salem District.

2. S.P.Ravi

... Respondents

Criminal Original Petition is filed under Section 528 of B.N.S.S.,
to call for the records and quash the FIR in Crime No.132 of 2023 on the
file of the first respondent Police.

For Petitioner in Crl.O.P. : Mr.N.Ranjith KUMar
No.20417 of 2023

For Petitioner in Crl.O.P. : Mr.S.Esakkimuthu
No.4868 of 2025

For Respondents : Mr.R.Vinothraja,
in both Crl.O.Ps Government Advocate
(Crl. Side) (for R1)

Mr.C.Prakasam (for R2)



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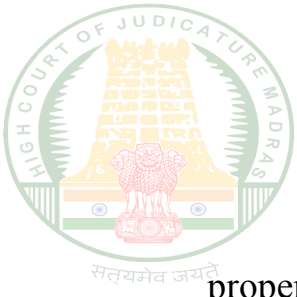
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COMMON ORDER

These petitions have been filed to quash the First Information Report in Crime No.132 of 2023 on the file of the first respondent Police.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. The case of the prosecution is that the land comprised in S.Nos.138/2B and 136/4A1, Patta Nos.784 and 1482, to an extent of 62 cents, situated at Soorapalli Village, Jalakandapuram, Mettur Taluk, Salem District, is owned by the ancestors of the second respondent. In order to sell the same, the second respondent approached the broker, viz., one Kannan, and received all parent deeds of the said property to arrange a financier. While that was the case, the first accused contacted the second respondent and promised to lend a loan to the tune of Rs.40,00,000/- on the condition that a sale deed be registered in respect of the said property. Believing the said words, the second respondent executed a sale deed in respect of the

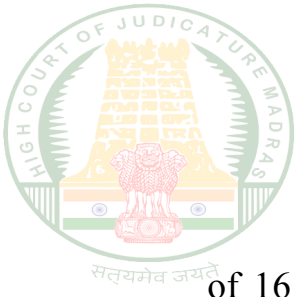


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property ad-measuring 52 cents in favour of the first accused, registered vide document Nos.2102 and 2103 of 2022, and in respect of the remaining land ad-measuring 10 cents, the second respondent also executed an agreement for sale. Insofar as the sale is concerned, the second respondent received only Rs.2,37,120/- as sale consideration. Thereafter, the first accused failed to lend the loan to the tune of Rs.40,00,000/- and cheated the second respondent. When questioned by the second respondent, he was threatened with dire consequences by the other accused persons. Hence, the complaint.

4. On a perusal of the records, it reveals that the second respondent offered to sell his property to the first accused. After payment of the entire sale consideration, the sale deed was executed in favour of the first respondent. The sale consideration was also transferred to the second respondent and his family members through RTGS on 22.04.2022. The first accused never assured that he would lend a loan to the tune of Rs.40,00,000/-, especially for a property worth nearly Rs.2.50 lakhs. Further, the second respondent lodged the present complaint after a period



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of 16 months from the date of the sale deed. In fact, initially, the second respondent lodged the complaint before the Inspector of Police, Kannankurichi Police Station, Salem District, and the same was enquired into and closed, with a direction to the second respondent to approach the Civil Court for appropriate relief. Therefore, no offence is made out against the petitioners, and the First Information Report in Crime No.132 of 2023 is liable to be quashed.

5. In view of the above, the impugned First Information Report in Crime No.132 of 2023 is hereby quashed. Accordingly, these Criminal Original Petitions are allowed. Consequently, the connected Miscellaneous Petitions are closed.

27.03.2025

Index:Yes/No
Neutral Citation/Yes/No
kv



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To

1. The Inspector of Police,
Jalakandapuram Police Station,
Salem District.
2. The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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