



Crl.O.P.No.23263 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.23263 of 2025
and Crl.M.P.Nos.15987 & 15898 of 2025

1.Surendra Kumar Chordia
2.Ajeethraj Chordia

... Petitioners

Versus

1.State by Inspector of Police
District Crime Branch
Chennai
(Crime No.156/2024)

2.Kanthimath

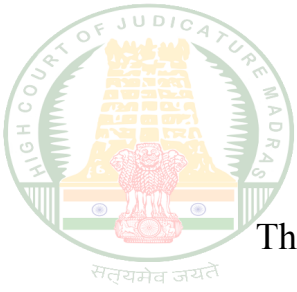
... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, to call for the records relating to C.C.No.740 of 2025 on
the file of Metropolitan Magistrate for exclusive trial of CCB Cases and CBCID
Metro Cases, Egmore, Chennai and quash the same.

For Petitioner : Mr.I.Abrar Mohamed Abdullah

For Respondents : Mr.R.Vinothraja for R1
Government Advocate

ORDER



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This petition has been filed to quash the final report laid for the offences punishable under 409, 420, 465, 468, 471, 109 read with 120(B) of IPC on the file of the learned Metropolitan Magistrate for exclusive trial of CCB Cases and CBCID Metro Cases, Egmore, Chennai

2. The allegation is that the defacto complainant has given a power of attorney to the accused only in order to maintain the property, however, the accused has fraudulently transferred the property violating the signatures of the petitioner in the life certificate. Based on such allegations, investigation is concluded and final report is filed before the Trial Court which is taken on file in C.C.No.740 of 2025.

3. The learned counsel for the petitioner submitted that even in her 161 statement, she has clearly stated that her husband is very well aware of the transactions, and he did not question the sale. Further, the cheque complaint is also filed against her in C.C.Nos.1400 and 1402 of 2014 which already ended in conviction, therefore, it is nothing but falsely implicated.

4. Heard both sides and perused the materials placed on record.



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5. No doubt, normally when prosecution is launched with motive and malafides, the Court can interfere with such final report, but the specific allegations of the petitioner is that her husband's life certificate has been forged, in this regard, investigation is also conducted and disputed and admitted signature is also subjected to forensic examination by the expert and expert report is also available on record which *prima facie* satisfies the contentions of the defacto complainant. Therefore, at this stage, merely, because a cheque complaint have been filed and ended in conviction that cannot be a ground to quash the entire final report. It is the realm of the Trial Court to appreciate all the documents including the forensic evidences and decide whether the offences has been made out. At this stage, I am not in a position to quash the final report.

6. At this stage, the learned counsel for the petitioner sought indulgence of the Court, to dispense with the personal appearance of the petitioner.

N.SATHISH KUMAR, J.



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WEB COPY 7. Accordingly, this Criminal Original Petition is dismissed. In view of the submissions of the learned counsel for the petitioner, the personal appearance of the petitioner is dispensed with except for receiving copies, for answering the charges, for questioning under section 313 Cr.P.C. and any other dates fixed by the trial Court. Consequently, connected miscellaneous petitions are closed.

22.08.2025

dhk

Index : Yes
Internet : Yes

To

1. The Metropolitan Magistrate for exclusive trial of CCB Cases and CBCID Metro Cases, Egmore, Chennai

2. The Inspector of Police
District Crime Branch
Chennai

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