



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.11.2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.R.C. No.2053 of 2025

S. Christu Raja

...Petitioner

Vs

1. The Police Commissioner,
Tambaram Police Commissioner's Office
No.28, Muthurangam Street, West Tambaram,
Chennai – 600 045.

2. The Inspector of Police,
EFT -3 , CB,
Tambaram Commissioner's Office,
Sholinganallur, Chennai – 119.

..Respondents

Prayer: This Criminal Revision petition is filed under Sections 397 and 401 of Cr.P.c to set aside the order dated 01.08.2025 passed by the learned Judicial Magistrate – II, Chengalpattu in Crl.M.P.No.947 of 2025 and pass orders.

For Petitioner : Mr.A. Bala Kumar

For Respondent : Dr.C.E. Pratap, Govt Advocate



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ORDER

This Criminal Revision has been filed to set aside the order dated 01.08.2025 passed by the learned Judicial Magistrate – II, Chengalpattu in CrI.M.P.No.947 of 2025 and pass orders.

2.The brief facts of the case are as follows:

The petitioner is the owner of the subject property and he has applied for free patta for the said property. The sum and substance of the case is that the accused person entered into criminal conspiracy and created forged documents and registered the same. It is pertinent to note that the said property was also mortgaged to S.M.F.G. India Credit company and the same mortgaged deed was registered at SRO Thiruporur. It is alleged that the accused threatened the petitioner with dire consequences. Hence, the petitioner approached the Thazhambur Police station to lodge a complaint and the same was not accepted. Hence, the petitioner filed a CrI.M.P.No.947 of 2025 on the file of the learned Judicial Magistrate – II, Chengalpattu to register a FIR and the same was dismissed on 01.08.2025 which has given

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rise to this petition.

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3. The learned counsel for the petitioner submits that the petitioner has given a petition to the officer of a Registration Department to cancel the alleged documents and the same is pending. Further more the accused has created fraudulent documents and mortgaged the property. He further submits that the respondent ought to have registered the F.I.R, for criminal conspiracy of the accused, which was not done. Hence, prays to allow this petition.

4. The learned Government Advocate appearing for the respondent submits that only in a cognizable offence if *prima facie* is made out the same requires detailed investigation and registering of the F.I.R. Though allegation of criminal intimidation and trespass are raised, the substratum of the dispute is essential civil in nature. Hence, there is no necessity to interfere with the impugned order and the prays to dismiss this petition.

5. Heard both sides and perused the material available on record.



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6. On a perusal of records the impugned order it is seen that the learned Judge had made an observation that the petitioner is questioning about the alleged sale deed, alleged settlement deed, alleged patta, alleged mortgage deed, since the above documents are registered with the Registrar Office, the above alleged question of documents does not arise before the Court. The learned Judge has concluded that the petitioner has to approach the proper civil forum for getting proper remedy and dismissed the petition. Further more it is crystal clear that there was a dispute pending between the parties with regard to the registration of documents. Hence, registering the F.I.R will not amount to admission of guilt and nothing prejudice would be caused, if the respondent police proceeds the case by way of registering the F.I.R. Even the finding observed in the F.I.R will be helpful to arrive at a conclusion in the civil suit.

7. In view of the above facts, this Criminal Revision case stands allowed and the order passed by the learned Judicial Magistrate on



01.08.2025 in CrI.M.P.No.947 of 2025 on the file of the Judicial Magistrate Court No.II, Chengalpattu is set aside. The respondent is directed to conduct and enquiry and register the F.I.R if requires within a period of twelve weeks from the date of receipt of a copy of this order.

Index : Yes/No
Internet : Yes/No
Speaking/Non-speaking Order
smn

17.11. 2025

To.

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No.28, Muthurangam Street, West Tambaram,
Chennai – 600 045.

2. The Inspector of Police,
EFT -3 , CB,
Tambaram Commissioner's Office,
Sholinganallur, Chennai – 119.

3. The Judicial Magistrate – II, Chengalpattu



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T.V.THAMILSELVI.,J
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