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CRL RC No. 2364 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 2364 of 2025

1. T.C.Dayanandham@ Dhayanidhi
S/o.Chakkarabani, No. 64, West Madha
Street, Thirumazhisai, Chennai -600
124.

Petitioner(s)

Vs

1. The Inspector of Police
B-7, Vellavedu Police Station,
Vellavedu, Chennai- 600 124.

Respondent(s)

PRAYER

Criminal Revision Petition has been filed under Section 438 & 442 of BNSS to set aside the impugned order passed by the Learned Judicial Magistrate No.II at Poonamallee on 21.08.2025 in CrI.M.P.No. 3612/2023 and direct the respondent police to register the complaint given by the petitioner on 10.01.2022 as First Information Report.

For Petitioner(s): K.Madhan

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

ORDER

The petition is filed to set aside the impugned order passed in CrI.M.P.No.3612 of 2023, by which the petitioner's application for a direction



under Section 156(3) of Cr.P.C was dismissed by the learned Magistrate.

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2. It is the case of the petitioner that the petitioner had 1/4th share in certain properties; that at the instance of his brother, who is one of the proposed accused, he had executed a power of attorney dated 18.06.2015 in favour of his brother and two other persons in respect of his share in two acres of land; that his brother and others had cheated him and had never paid any sale consideration; that thereafter, the petitioner came to know that, using the said power of attorney, they had executed the sale deed in favour of a third party by forging the petitioner's signature in the life certificate. On coming to know of the execution of the sale deed, the petitioner had revoked the power of attorney; that though the petitioner had sent a complaint dated 10.01.2022 to the respondent Police, which was received by the Commissioner of Police, Avadi on 07.03.2022, the respondent did not take any action.

3. The learned Magistrate found that the allegations only disclose a civil dispute and that a criminal colour is sought to be given to the civil dispute; that the petitioner had not lodged any complaint with the respondent police and had only sent the complaint through registered post to the Commissioner of Police and therefore, the respondent were not bound to register the complaint, which only discloses a civil dispute and hence dismissed the petition.



4. The learned counsel for the petitioner would submit that the learned Magistrate, without considering that the petitioner's signature was forged in the life certificate, had assumed that the complaint only discloses a civil dispute and hence, the impugned order is liable to be set aside.

5. The learned Government Advocate (Crl. Side), per contra, submit that no complaint was lodged before the respondent police and that from the records, it is seen that the complaint was only sent through registered post to the Commissioner of Police and hence, the respondent cannot be faulted. He also further submit that the reasons assigned by the learned Magistrate for dismissal of the application cannot be faulted and hence, he prayed for dismissal of the revision.

6. Admittedly, the petitioner and the proposed accused are brothers. The power of attorney said to have been given by the petitioner was executed on 18.06.2015. Even according to the petitioner, the power of attorney was revoked only in the year 2022. The allegations predominantly disclose a civil dispute, though there is a vague allegation that the petitioner's life certificate was forged. It is also seen that, the petitioner, after revoking the power of attorney, had not lodged any complaint immediately and had not approached to



the police station in person.

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7. Considering the above facts, this Court is of the view that there is no infirmity in the impugned order. Hence, the criminal revision is dismissed with liberty to the petitioner to seek appropriate remedy, if available, in accordance with law.

10-12-2025

dpa

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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B-7, Vellavedu Police Station,
Vellavedu, Chennai- 600 124.



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SUNDER MOHAN J.

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