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CRL RC No. 2502 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2502 of 2025

K.Logeswaran
S/o.Kannan,
No.D2/6, Thirukural Apartment, Mugappair,
Chennai - 37.

..Petitioner(s)

Vs

State represented by
The Inspector of Police,
CCB-II, Team-VI, Land Grabbing Investigation
wing-II, Vepery, Chennai.
Crime No.156/2024

..Respondent(s)

To call for the records and set aside the order dated 07th November 2025
in Crl.MP.9832 of 2025 in C.C.No.740/2025 on the file of the Metropolitan
Magistrate for CCB and CBCID Cases, Egmore, Chennai as against the
petitioner/Accused 6

For Petitioner(s): Mr. P.N.Vignesh

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

ORDER



Challenging the impugned order passed by the Metropolitan Magistrate for CCB and CBCID Cases, Egmore, Chennai in CrI.M.P.No.9832 of 2023 in C.C.No. 740 of 2025, the petitioner/6th accused preferred this Criminal Revision Petition.

2. Before the trial court, the petitioner filed a petition praying to discharge him from all the charges stating that as he is an advocate by profession, he has drafted the sale deed, except that, he is not aware of other impersonation and other allegations levelled against him as per the complaint given by the defacto complainant, besides, after the execution of sale deed, he has no other contact with the accused and only as an advocate, he drafted the sale deed. Hence, he prayed to discharge him from the charges. But the said petition was dismissed by the trial judge stating that the sale deed stands in the name of A1 and A2 and he conspired with them and created a sale deed by obtaining false life certificate and the said sale deed executed by this petitioner, so there is prima facie materials against him. Aggrieved over the said findings, he preferred this Criminal Revision Case.



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3. The learned counsel for petitioner raised objections stating that the court below failed to take note of the fact that as an advocate by profession, he drafted the sale deed, except that, he has not played any role in creating a forged document. He would also submit that he has not committed any offence nor he involved in creating fake document. Since there is no iota of materials to establish that the petitioner had a knowledge on that day and he conspired with A1 and A2 in creating false document. He would further submit that he has acted with due diligence in discharging his professional duty. Hence, he approached the trial court to discharge him from the charge, but the trial court erroneously dismissed the petition. Aggrieved over the said findings, the petitioner/A6 preferred this Criminal Revision Case.

3. The learned Government Advocate (Crl. Side) would submit that as per the final report, he is ranked as A6 and specific overtact against him is that he drafted the sale deed knowingly well that it is false one by conspiring with A1 and A2 on relying the life certificate submitted by them.



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4. The learned counsel for petitioner replied that admittedly, the life certificate was given to him, but he is not aware whether it is false and true one. Furthermore, the power of attorney was shown to him, which was said to have given by the defacto complainant and based on the power of attorney, he executed a sale deed along with other particulars, which are necessary to draft the sale deed on believing that all the documents are genuine. Therefore, he executed the sale deed, except that he is not having any idea to create a false document.

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

6. On perusal of records, it reveals that the defacto complainant has given the complaint and based on that F.I.R. in Crime No.156 of 2024 was registered against 6 accused including this petitioner, who is ranked as A6. As per the F.I.R. allegations, the property, which belongs to her, she had given a power of attorney to one Surendra Kumar Chordia/A1, who is friend of her husband on



29.10.2012. After the demise of her husband, she came to know that based on the said power of attorney, A1 sold the property to his father/A2 in the year 2021. On further verification, she found that there was a false life certificate was created by A1 and A2 and with the help of A6, sale deed was drafted. Admittedly, the power of attorney given to A1 was relied on by the defacto complainant, based on that, sale deed came into force. Therefore, as an advocate by profession, he is entitled to draft the sale deed by relying the documents, which were placed before him. Accordingly, he drafted the sale deed, except that, he has not made any such offence by creating false documents as per the final report of the prosecution against this petitioner. Moreover, there is no prima facie materials placed that he had also actively participated with an intention to create a false document at the time of drafting the sale deed. When there is no prima facie materials to attract the charges levelled against this petitioner by the prosecution, it is unsustainable one. Therefore, the findings rendered by the trial judge is liable to be set aside. Accordingly, this Criminal Revision Case is allowed and the findings made in CrI.M.P.No.9832 of 2025 in C.C.No.740 of 2025 by the Metropolitan Magistrate for CCB and CBCID cases,



Egmore, Chennai is set aside. Furthermore, the petitioner is having more than 15 years of practice and as on date, he has no bad antecedents. The observation made by this court with regard to this petitioner would not have any influence over other accused, who had involved in the said case as per the final report.

25-11-2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RPP

To

1. Metropolitan Magistrate for CCB and CBCID Cases, Egmore, Chennai.
2. The Inspector of Police, CCB-II, Team-VI, Land Grabbing Investigation wing-II, Vepery, Chennai.
3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI, J.

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