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CRL RC No. 2708 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 10-12-2025**

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**CRL RC No. 2708 of 2025**

**and**

**CRL MP Nos.23684 & 23685 of 2025**

1. HEMALATHA

W/o.Dhanasekaran, No. 2/20, Doming  
Street, R.M.Prasanth Apartments,  
Mylapore, Chennai -04.

2. Rajasekar

S/o.Dhanasekar, No. 149, Viyasai Street,  
Pallikaranai, Chennai- 100.

Petitioner(s)

Vs

1. The State Represented by The  
Inspector of Police  
LFIW-1, Team-3, Land Grabbing  
Investigation, Team-1, Central Crime  
Branch, Vepery, Chennai- 600 007.  
(Crime No. 138/2023)

Respondent(s)

**PRAYER**

Criminal Revision case has been filed under Section 438 read with 442 of BNSS to set aside the order ddated 24.10.2025 made in Crl.M.P.No. 4350 of 2025 in C.C.No. 3498 of 2024 passed by the Metropolitan Magistrate, for Exclusive Trial of CCB Cases (relating to Cheating Cases in Chennai) and CBCID Metro Cases, Egmore, Chennai -08.



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For Petitioner(s): S. Sathish Rajan

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

**ORDER**

The Criminal Revision has been filed challenging the dismissal of the discharge application filed by the petitioners.

2. The respondent has filed the final report against the petitioners for the offences under Sections 465, 467, 468, 471 read with 120 (B) and 34 IPC.

3. The gist of the prosecution case is that the defacto complainant is the owner of the land measuring an extent of 9,600 sq ft. which was originally purchased by his father in the name of the Company under a sale deed dated 21.08.1978; that the patta was changed in the name of one Balakrishna Pillai; that the defacto complainant had entered into a lease deed with one Bala Engineering Company in the year 2001; that there was a dispute between the lessee and lessor; that the property was thereafter leased in favour of Mrs.Maya Mohan; that since Mrs.Maya Mohan was suffering from health issues, she handed over the administration of the Company to the petitioners herein; that the petitioners had committed various acts of forgery; that the petitioners had claimed title over the said property by relying upon the Document bearing No.477 of 1966 dated 25.04.1966, making it appear that hey had purchased the



property from one Balakrishna Pillai; that the registered document, namely Document No.477 of 1966 is the document pertaining to a sale deed registered on 20.02.1966 in favour of one Balasubramanian; and that the petitioners, on the basis of such forged document, claimed title over the property belonging to the defacto complainant.

4. The learned counsel for the petitioner would submit that, even assuming that the allegations in the final report are accepted to be true, the allegations at best suggest that the petitioners have made a false claim of title, and the facts of the present case are squarely covered by the Judgement of the Hon'ble Supreme Court in the case of *Mohammed Ibrahim & Others vs. State of Bihar & another* reported in *CDJ 2009 SC 1733*. Therefore, he prayed for setting aside the impugned order dismissing the petitioners application for discharge.

5. The learned Public Prosecutor, per contra, would submit that the present case does not relate merely to a false claim of title; that the allegation in the final report is that the petitioners had produced a forged document making it appear to be genuine; and that the question as to whether the documents produced by the petitioners are genuine or not cannot be adjudicated at the stage of framing of charges. Therefore, he sought for dismissal of the revision.



6. The allegations in the final report does not suggest that this is a case pertaining merely to a false claim of title. There is a specific allegation that the petitioners had produced a Document bearing No.477 of 1966, said to be a sale deed in favour of the petitioners' father, and that the said Document is forged, since Document bearing No.477 of 1966 was actually registered on 20.02.1966 and is a sale deed in favour of one Balasubramanian. This Court, at this stage, cannot decide as to which of the versions is true. It is for the trial Court to examine this issue during the course of trial. Therefore, this Court does not find any infirmity in the order passed by the Court below dismissing the petitioners' application for discharge.

7. Accordingly, the criminal revision is dismissed. Connected miscellaneous petitions, if any, shall stand closed.

**10-12-2025**

dpa  
Index:Yes/No  
Speaking/Non-speaking order  
Internet:Yes  
Neutral Citation:Yes/No



To

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**SUNDER MOHAN J.**

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