



Crl.OP(MD)Nos.12338, 13703 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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RESERVED ON : 28.08.2025

DELIVERED ON : 18.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)Nos.12338, 13703 of 2025

and

Crl.MP(MD)No.10922 of 2025

Crl.OP(MD)No.12338 of 2025:-

R.Ramachandran

: Petitioner

Vs.

**1.The Superintendent of Police,
Madurai District,
Madurai.**

**2.The Deputy Superintendent of Police,
District Crime Branch – II,
Madurai.**

**3.The Inspector of Police,
District Crime Branch,
Madurai.
Cr.No.15 of 2024**

**4.The Deputy Director,
Enforcement Directorate,
Madurai South Zone, Madurai.**

: Respondents

[R.4 suo-motu impleaded vide order dated 11.08.2025]



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PRAYER: Petition filed under Section 528 BNSS to transfer the investigation of the case in Crime No.15 of 2024 from the file of the third respondent to some other agency or officer for investigation and disposal.

For Petitioner : Mr.N.Dilip Kumar

For Respondents: Mr.P.Kottaichamy
Government Advocate (CrI. Side)
for R.1 to R.3

Mr.S.Poornachandran
for R.4

CrI.OP(MD)No.13703 of 2025:-
1.V.Ramu

2.R.Karthikeyan : Petitioners

Vs.

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
District Crime Branch,
Madurai District.
Cr.No.15/2024

2.R.Ramachandran : Respondents



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PRAYER: Petition filed under Section 528 BNSS to call for the records relating to the impugned FIR in Crime No.15 of 2024 on the file of the first respondent Police and quash the same.

For Petitioners : Mr.S.Saravana Kumar

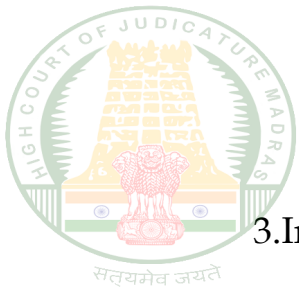
For Respondents: Mr.P.Kottaichamy
Government Advocate (Crl. Side)
for R.1

Mr.N.Dilip Kumar
for R.2

COMMON ORDER

Both these petitions arise out of Crime No.15 of 2024 on the file of the District Crime Branch, Madurai and are taken up together for disposal by way of this common order.

2.In Crl.O.P.No.12338 of 2025, the petitioner / de facto complainant seeks transfer of investigation in Crime No.15 of 2024 from the file of the local police to an independent agency, contending that the present investigation is perfunctory and lacks credibility.



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3.In Crl.OP(MD).No.13703 of 2025, the petitioners / A4 & A5 sought

to quash the proceedings in Crime No.15 of 2024.

4.Sum and substance of the prosecution case is that lands to an extent of 5 acres and 37 cents in S.No.172, E.Malampatti Village, Melur Taluk, Madurai District, were purchased by the great grandfather of the defacto complainant under Document No.2590 of 1929 dated 09.11.1929. These properties were later managed by his son, Rathinasamy, who served as a Judicial Officer and eventually retired as District Judge. On 18.03.2024, Rathinasamy passed away. Upon his demise, when the complainant and his family attempted to ascertain the status of ancestral properties, they discovered that the very same lands had been dealt with long back under three sale deeds, namely Document Nos.874, 875 and 876 of 1998, purportedly executed by their father Rathinasamy before the Sub Registrar, Melur.

5.According to the complainant, the said deeds are rank forgeries. An imposter had posed as his father and executed the instruments. Suspicious



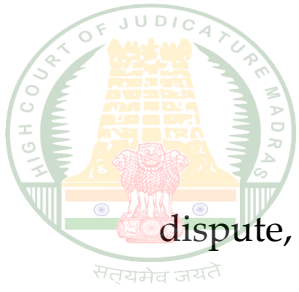
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features such as Tamil signatures, incorrect address, and the fact that

during that period the deceased was discharging functions as Member of the State Human Rights Commission in Chennai, rule out his physical presence at Madurai for execution of deeds. Relying upon these alleged forged deeds, subsequent transactions have taken place in favour of several persons, eventually resulting in conveyances to the petitioners in Crl.OP(MD)No.13703 of 2025 / A4 and A5. On the complaint given by the defacto complainant on 02.10.2024, the FIR in Crime No.15 of 2024 came to be registered on 19.12.2024 for offences under Sections 419, 420, 465, 468, 471 and 120B IPC.

Contentions of the petitioners in Crl.OP(MD)No.13703 of 2025:-

6.They are purchasers under registered sale deeds of the years 2007 and 2009, much after the alleged fraudulent transactions of 1998. They were not parties to the execution of Document Nos.874 to 876 of 1998, nor did they figure as witnesses to those documents. They have produced their parent title deeds before the Investigating Officer and have extended cooperation throughout. They are bona fide purchasers for value, and the



dispute, at best, is civil in nature relating to title, which cannot be given a criminal colour. Continuation of criminal proceedings against them would amount to abuse of process of law and therefore, they sought for quashing the proceedings.

Contentions of the petitioner in Crl.OP(MD)No.12338 of 2025:-

7.The investigation so far conducted is lackadaisical. Though the complaint was made on 02.10.2024, FIR was registered only on 19.12.2024, after two months. The forged documents were seized belatedly, after the intervention of this Court and more importantly, till date the imposter has not been identified. Therefore, the investigation needs to be transferred to some other agency.

8.With regard to Crl.OP(MD)No.13703 of 2025, learned Counsel contended that the petitioners / A4 & A5 are not innocent purchasers, but part of a larger conspiracy along with Accused Nos.1 to 3 and others, in a calculated attempt to grab the land. The FIR discloses specific allegations of impersonation, forgery and use of forged documents, which squarely



attract criminal liability. The plea of bona fide purchase is a matter of evidence and cannot be adjudicated at the stage of quash.

9.Heard the learned Counsel on either side and perused the materials placed on record.

10.Pursuant to orders of this Court dated 23.07.2025, the respondent Police have filed a status report. It reveals that the thumb impression of Rathinasamy in another admitted document of 2009 has been compared with the impressions in the disputed documents of 1998, and the result is that they are “not identical.” The status report reads that Rathinasamy never signed in Tamil, whereas the impugned documents carry Tamil signatures. Two of the questioned deeds (Doc.Nos.874 and 875 of 1998) were seized only on 26.07.2025, nearly seven months after registration of FIR. The third document (Doc.No.876 of 1998) has not been seized on the ground that it is already involved in another criminal case. It is to be noted that the officials of the Registration Department concerned with the 1998 transactions have not been examined.



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11. At the outset, it must be noted that the impersonation of a Judicial Officer, more particularly one who retired as District Judge, in land transactions is a matter of deep gravity. It not only affects the rights of the heirs but also undermines the integrity of the registration process and public confidence in official records.

12. The contention of the petitioners in Crl.OP(MD)No.13703 of 2025 / A4 & A5 that they are bona fide purchasers cannot be accepted at this stage. It is trite law that the question of bona fides in a chain of transactions arising out of an allegedly forged foundation document is a matter to be established at trial by leading evidence. The mere assertion of good faith does not efface the offence.

13. The allegations in the FIR, coupled with forensic findings that thumb impressions do not tally, clearly disclose cognizable offences of impersonation, forgery and criminal conspiracy. It is well settled that at the stage of quash, the Court is to proceed on the basis of the allegations and

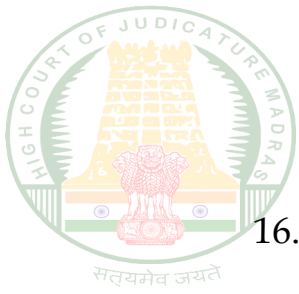


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accompanying materials, and not to embark upon a roving enquiry into the truth of the defence. Therefore, this Court is not inclined to entertain Crl.OP(MD)No.13703 of 2025.

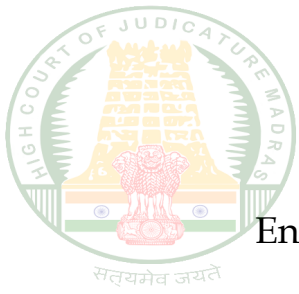
14.The manner in which the investigation in Crime No.15 of 2024 has been conducted by the local police for the last couple of years does not inspire confidence. The long delay in seizure of crucial documents, the failure to even attempt identification of the imposter, and the omission to examine Registration Department officials are glaring deficiencies. Such lapses have the effect of frustrating the very object of investigation.

15.In cases of this nature, where serious allegations of forgery and impersonation involving public records are made, and the primary accused is yet to be identified, entrustment of investigation to an independent specialised agency alone would ensure fairness, impartiality and thoroughness. Therefore, this Court is inclined to entertain Crl.OP(MD)No. 12338 of 2025.



16. In the above circumstances, this Court holds:

- Crl.O.P.No.13703 of 2025, seeking quashment of FIR as against the petitioners (A4 and A5), has no merit and stands dismissed.
- Crl.O.P.No.12338 of 2025 deserves acceptance. Accordingly, investigation in Crime No.15 of 2024 on the file of the District Crime Branch, Madurai, is hereby transferred to the file of the Deputy Superintendent of Police, CBCID, Madurai Range, Madurai, who shall take charge forthwith.
- The CBCID shall conduct the investigation in a comprehensive manner, seize all relevant documents including Document No.876 of 1998, examine all officials of the Registration Department who dealt with the impugned transactions, and take effective steps to identify the person who impersonated Rathinasamy.
- The fourth respondent in Crl.OP(MD)No.12338 of 2025 / Deputy Director of Enforcement Directorate is directed to hand over the document in No.876 of 1998, which was seized by them, to the CBCID within a period of two weeks from the date of receipt of a copy of this order. Based on the outcome of CBCID's investigation, the



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Enforcement Directorate shall proceed with the attachment

proceedings initiated by them against M/s.PRP Exports, M/s.PRP

Granites, Madurai, insofar as this piece of property is concerned.

- The investigation by the CBCID shall be completed and a final report shall be filed before the jurisdictional Magistrate within a period of four months from the date of receipt of a copy of this order. The Registration Department and all other connected authorities are directed to extend full cooperation.

17.Considering the fact that the case involves serious allegations of impersonation of a retired District Judge and fraudulent registration of documents, this Court deems it appropriate that the investigation is not only entrusted to the CBCID, but also kept under the direct supervision of the Deputy Inspector General of Police, CBCID, Chennai, who shall monitor the progress periodically and ensure that the investigation is carried out in a fair, effective and time-bound manner.



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Internet : Yes
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18.09.2025

To

- 1.The Superintendent of Police,
Madurai District,
Madurai.
- 2.The Deputy Superintendent of Police,
District Crime Branch – II,
Madurai.
- 3.The Inspector of Police,
District Crime Branch,
Madurai.
- 4.The Deputy Superintendent of Police,
CB CID,
Madurai Range,
Madurai.
- 5.The Deputy Inspector General of Police,
CB CID,
Chennai.



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B.PUGALENDHI, J.

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