



CrI.O.P.(MD)No.14446 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 05.11.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.(MD)No.14446 of 2025

and

CrI.M.P.(MD)No.11731 of 2025

Uma Sooriyan

... Petitioner

Vs

1.S.Selvaraj

2.Guruveswari

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS, praying this Court to call for the records relating to the Private Compliant filed under Section 200 of Cr.P.C. under Sections 467, 468, 471, 406, 420, 120(B) r/w 34 of IPC in CC No.1/2025 pending trial on the file of the Learned Judicial Magistrate Court, at Thirumangalam and quash the same as against the petitioner.

For Petitioner : No Appearance

For Respondents : Mr.Sriram,
Senior Counsel
for Mr.Mukundakumar for R1
Mr.K.Gnanasambanthan for R2



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ORDER

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The petitioner seeks to quash the private complaint in C.C.No.1 of 2025 pending trial on the file of the learned Judicial Magistrate, Thirumangalam, which was filed for the offences under Sections 467, 468, 471, 406, 420, 120(B) r/w 34 of IPC.

2.The gist of the allegation in the complaint is that the first respondent herein had not executed any power of attorney dated 18.11.2008, which was said to be registered as Document No.41/2008 in favor of the petitioner herein; that on the basis of the non-existent power of attorney, the petitioner herein made a false claim in the suit filed by first respondent and others in O.S.No.60 of 2012.

3. When the matter was listed earlier, the learned counsel for the petitioner had submitted that the impugned complaint cannot be maintained, since the petitioner has not filed any document dated 18.11.2018 before the trial Court; that in the absence of the said document, it cannot be claimed that the said document is forged and that the complaint would not lie on that basis.

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4.The learned counsel for the first respondent, however, would submit that though the said document dated 18.11.2018 was not filed before the trial Court, the stand taken by the petitioner that a document dated 18.11.2018 existed was accepted by the trial Court; that the suit filed by the first respondent and others was dismissed; that since the first respondent and others were affected, on account of the stand taken by the petitioner that a document dated 18.11.2008 existed, the impugned prosecution cannot be quashed.

5. The petitioner had thereafter produced the copy of the document dated 18.11.2008 during the previous hearing before this Court. Today there is no representation for the petitioner.

6. It is not known why the petitioner had not filed the said document in the Suit. The document 18.11.2008, now produced is notarized and is not a registered document. Therefore this Court is of the view that there is no document dated 18.11.2008 said to have been registered as Document No. 41 of 2008, as could be seen from the submissions and the list of the documents filed before the Civil Court.



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The first respondent disputes the signatures in the said document and the Thumb impressions said to have been made by his wife, C.Ammaikal.

7. Since the basis on which the impugned complaint has been lodged that a registered document bearing Document No.41 of 2008 dated 18.11.2008 is forged. Accordingly, the impugned complaint in C.C.No.1 of 2025, on the file of the Learned Judicial Magistrate Court, at Thirumangalam is quashed.

8. However, since the signature in the document now produced before this Court is disputed, the Inspector of Police, Koodavkovil Police Station, Madurai District, is directed to conduct an enquiry to ascertain whether the signature of the first respondent and the thumb impression of his wife in the document dated 18.11.2008 filed before this Court have been forged and file a report before this Court within a period of four weeks, from the date of receipt of a copy of this order. The Registry shall issue a certified copy of the said document or the document itself if required after retaining a certified copy for the records to the Public Prosecutor to be handed over to the Inspector of Police for conducting



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the enquiry. The first respondent shall cooperate with the enquiry conducted by the Inspector of Police, Koodavkovil Police Station, and shall appear on summons.

9.With the above direction, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

10.Post matter for reporting compliance on 23.02.2026.

05.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
cp/dk

TO

1.The Judicial Magistrate,
Thirumangalam.

2. The Inspector of Police,
Koodavkovil Police Station,
Madurai District,



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SUNDER MOHAN,J

cp/dk

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Date : 05.11.2025