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CRL RC No. 230 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 230 of 2026

Amsavalli
W/o.K.Krishnasamy,
No.1, Alagar Nagar,
Karuppampatti,
Musiri,
Trichy - 621210.

..Petitioner(s)

Vs

The Inspector of Police
Central Crime Branch (CCB),
Avadi, Chennai.

..Respondent(s)

Criminal Revision Case filed under Sections 438 r/w 442 of BNSS, praying to set aside the order passed in Crl.M.P.No.4360 of 2025 on 05.11.2025 by the learned Judicial Magistrate Court No.1 at Poonamallee and to direct the respondent police to register FIR on basis of the Petitioner's complaint dated 31.03.2024 and thus render justice.

For Petitioner(s):

Mr.M.Jaikumar

For Respondent(s):

Mr.R.Vinothraja

Government Advocate(criminal Side)



ORDER

The revision challenges the dismissal of the petitioner's application under Section 173(4) of BNSS, seeking a direction to the respondent to register an FIR on the petitioner's complaint.

2. The gist of the petitioner's complaint is that she purchased a property measuring 5320 sq.ft. in the year 1997; that in July 2024, when she applied for an Encumbrance Certificate, she came to know that one Dhanabal had registered a sale deed in Document No.7572 of 2003 on 17.12.2003 by impersonating the petitioner; and that thereafter, the said Dhanabal had executed a settlement deed in favour of his son, one Santhanam, in the year 2015. Since the petitioner's complaint was not registered, she filed a petition under Section 173(4) of BNSS, which came to be dismissed by the impugned order.

3. The learned Magistrate found that the alleged act of impersonation had taken place in the year 2003; that the purchaser of the property, namely Dhanabal, is no more; that his son, in whose favour the settlement deed was executed, alone is alive; and that it is for the petitioner to establish the above facts before the Civil Court and that no case can be registered on the complaint.



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4. The learned counsel for the petitioner would submit that since the petitioner was residing in a different place, she was not aware of the transactions; that she has been impersonated; and therefore, the offence has been made out and the delay cannot be a reason to deny her right to have the case investigated by the respondent.

5. Heard the learned Government Advocate (Crl. Side) appearing for the respondent, who would submit that the alleged occurrence took place in the year 2003 and the complaint was lodged only in the year 2024.

6. As seen from the impugned order, the sale deed was registered in favour of one Dhanabal, who is no more. If it is the case of the petitioner that she was impersonated and that the said sale deed is void, it is for the petitioner to approach the Civil Court concerned to declare that the said document is invalid. Therefore, this Court finds that there is no infirmity in the impugned order, which records the fact that no cognizable offence has been made out against the said Santhanam, in whose favour the settlement deed was executed by Dhanabal.



SUNDER MOHAN J.

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7. With the above observations, this Criminal Revision Case stands dismissed with liberty to the petitioner to approach the Civil Court seeking appropriate remedy subject to the law of limitation.

25-02-2026

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

To

- 1.The Judicial Magistrate Court No.1 at Poonamallee.
- 2.The The Inspector of Police
Central Crime Branch (CCB),
Avadi, Chennai.

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