



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 5062 of 2024

and

CrIM.P.No.3951 of 2026

Dr.Ravi Ramalingam
S/o. Dr.K.K.Ramalingam, No.11/2, Waddels Road,
Kilpauk, Chennai.

..Petitioner(s)

Vs

1. Inspector Of Police
Central Crime Branch, Commissioner Office,
Tambaram.
2. D.Joshwa
S/o. Deva Asirvadam, Manager, Gudwill
Housing Limited, Scorpion Complex, Place
Compound, Vasanth Nagar, Bangalore.

..Respondent(s)

Prayer: This petition is filed under Section 482 of Cr.p.C to call for the records relating to the FIR in Cr.No.20/2023 pending on the file of the Inspector of Police, Central Crime Branch, Tambaram and quash the same.

For Petitioner(s):	Mrs.Nalini Chidambaram, Senior counsel
For Respondent-1:	Mr.M.Mohamed Riyaz, Government Advocate
For Respondent-2:	Ms.Monica for Mr.R.Prabhakaran



ORDER

WEB COPY

The prayer in this petition is to quash the FIR in Cr.No.20 of 2023 pending on the file of the first respondent/Inspector of Police, Central Crime Branch, Tambaram.

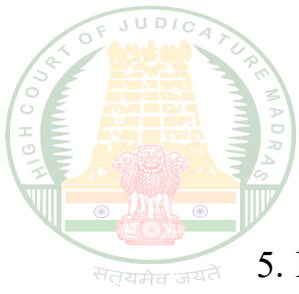
2. Upon hearing the learned Senior counsel appearing on behalf of the petitioner and perusing the material records of the case, the primary contention of the petitioner is that the petitioner's though the owners of the land were not even personally involved in the sale transaction. They have appointed one A.R.Shamsudeen as their power of attorney agent, who only entered into the alleged transactions. The respondent/complainant as well as the said power of attorney agent had negotiated and the petitioner do not know what transpired in the negotiations between them. Even though the land belongs to the petitioners and they have not held out any false promise. In view thereof, merely because the Coastal Zone Regulations was started to be implemented in a more strict manner, the respondent cannot lodge a criminal complaint in the year 2023 for the transaction happened in the year 2010 i.e 13 years later. Absolutely no offence whatsoever is made out as against the petitioner.



2. The learned Government Advocate appearing for the respondent would submit that upon considering the prima facie avernment the case has been registered whether it is a civil transaction pure and simple of defective title or whether any offence is made out will be concluded only after the investigation. Now on the strength of the avernments made in the complaint the case has been registered.

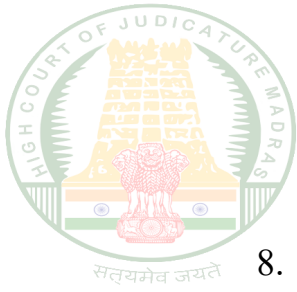
3. The learned counsel appearing on behalf of the defacto complainant would submit that it may be true that for the mere defect in title the petitioner will have a civil remedy. This is not a case where the civil remedy alone is available. The Sale Deed itself specifically mentions that the layout was formed and approval was obtained vide ordinary resolution No.90/2007-2008 dated 14.02.2008 in accordance with G.O.(M.S).No.11 dated 19.01.2006 which stand turned out to be false. Therefore, when false representation is made and on the basis of such representation held out to the petitioner, when the petitioner has parted away with the money, the same categorically amounts to an offence u/s 420 of IPC and therefore, this Court could not interfere at the investigation stage.

4. I have considered the rival submission made on either side and perused the materials records of the case.



5. It is now settled law that the investigating officer cannot determine the truth of the allegations at the time of registering the FIR itself. When the case has been registered based on the avernments and when it is the contention of the learned senior counsel that there may be such a permission or in any event such an promise is held out only by the said A.R.Shamsudeen without the knowledge of the petitioner, relates to the factual matrix of the matter, which have to be gone into by the Investigating Officer during the course of the investigation. Therefore, the same will not be gone into at the stage of the quash petition itself. Therefore, I am of the view that it is very well open to the petitioner to take both stands that there is a plan approval resolution of the Muthukadu Panchayat Union as mentioned in the sale deed and also the stand that the promises were made only by A.R.Shamsudeen without their written consent or authority. The same can be taken into account by the investigating officer.

6. Considering the plea of the defacto complainant and the avernments made in the documents etc and in the absence of A.R.Shamsudeen/power agent, whether the truth or otherwise can be gone into or not are all matters to be considered by the investigating authority. Therefore, keeping open the liberty of the parties to furnish all the information to the investigating officer, this Court directs the investigating officer to dispassionately consider all the materials placed before him and file a final report.



8. With the above observations, this Criminal Original Petition is disposed. Consequently the connected miscellaneous petition is closed.

29-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SMN

To.

1. Inspector Of Police, Central Crime Branch,
Commissioner Office, Tambaram.
2. The Public Prosecutor, High Court
Madras



WEB COPY

CRL OP No. 5062 of 2



D.BHARATHA CHAKRAVARTHY, J.

smn

**CRL OP No. 5062 of 2024
and
CrIM.P.No.3951 of 2026**

29-06-2026