



WEB COPY

CRL OP No. 7478 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 7478 of 2026
and CRL.MP.No.5375 of 2026**

Shanmugasundaram

..Petitioner(s)

Vs

1. State rep. by,
The Inspector of Police,
Ammamet Police Station,
Salem City,
Salem District.
Crime No.43 of 2026
2. Rajavinayagam

..Respondent(s)

To Call for the records and quash all the proceedings in Cr.No.43 of 2026 on the file of the Inspector of Police, Ammapet Police Station, Salem City, Salem District for the ends of justice.

For Petitioner(s): Mr.B.Vasudevan

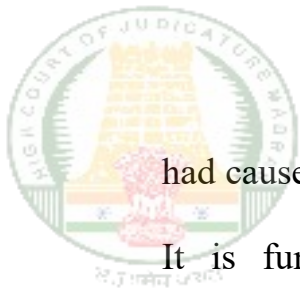
For Respondent(s): Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor, for R1

**ORDER**

The petitioner, who is arrayed as accused in Crime No. 43 of 2026 on the file of the first respondent Police, has filed this petition to quash the proceedings.

2. The primary contention of the petitioner is that the petitioner is the owner of the subject property. There has been some SARFAESI proceedings and he has been contesting the same. According to the petitioner, the second respondent, taking advantage of the SARFAESI proceedings, has collusively purchased the property. When the petitioner questioned the second respondent with regard to the same, a false case has been foisted against him, alleging that he had taken away the two wheeler of the second respondent and caused damage to his four wheeler.

3. The learned Additional Public Prosecutor submitted that the second respondent/defacto complainant is the successful purchaser of the property through SARFAESI proceedings. It is submitted that the second respondent had parked his two wheeler and four wheeler in the property and surveyed the property. The second respondent thereafter found that the two wheeler was missing and the four wheeler has been damaged. A complaint was lodged, and an FIR in Crime No. 43 of 2026 came to be registered on 04.02.2026. The CCTV footage collected from the scene of occurrence reveals that the petitioner



had caused damage to the four wheeler and the two wheeler is yet to be secured.

It is further submitted that on 09.03.2026, the petitioner had obtained anticipatory bail and yet to comply with the conditions by appearing before the respondent Police.

4. In view of the above submissions, it is seen that the FIR has been registered recently only on 04.02.2026 and the investigation is in progress. There are prima facie materials available to show that the petitioner has damaged the four wheeler. Since the investigation is at the initial stage, this Court is not inclined to interfere with the proceedings. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

25-03-2026

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

To
The Inspector of Police,
Ammamet Police Station,
Salem City,
Salem District.
Crime No.43 of 2026



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M.NIRMAL KUMAR, J.

PVS

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