



Crl.O.P.No.16277 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 29.06.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.16277 of 2026
and Crl.M.P.No.10734 of 2026

1. Sulochana
2. Jagannathan
3. Swaminathan

.. Petitioners

Versus

1. The State Rep by the Inspector of Police,
CCB – Tambaram Police Station,
Chengalpattu District.
(Crime No.98 of 2026)

2. Munieeswaran

.. Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023 to call for the records relating to the impugned F.I.R in Crime No.98 of 2026 on the file of the 1st respondent Police and quash the same in so far as the petitioners are concerned.

For Petitioners : Mr.V.I.Prashanth

For Respondents : Mr.R.Rajasekaran,
Counsel for Government of Tamil Nadu
(Criminal Side), for R1

: Mr.S.Kingston Jerold Periyasamy, for R2



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ORDER

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This Criminal Original Petition is filed to quash the F.I.R in Crime No.98 of 2026 on the file of the first respondent.

2. I have heard the learned Counsel on either side and perused the material records of the case.

3. As per the arguments of the learned Counsel for the petitioners, the title is claimed by the petitioners through detailed genealogy produced by them, whereby, one Padmanaba Chetty is said to be the original owner of the property who had made settlement with reference to certain properties vide Doct.No.80 of 1960 and tracing the right through the said settlement date, the petitioners are claiming ownership in respect of the property and there is absolutely no criminal offence involved in the execution of the documents.

3. Per *contra*, the contention of the learned Counsel for the second respondent is that it is true that the said Padmanaba Chetty is only the owner of the property. As far as S.No.64/10 is concerned, which is the current survey number, which is relatable to S.No.67/9 and 62/7 etc., it



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was disposed of by the said Padmanaba Chetty by way of a sale deed in Doct.No.3094 of 1959. Knowingly, in the subsequent documents, the petitioners/accused, with the mischievous intent, included the said extent of the property, sold by the said Padmanaba Chetty in favour of Muniyasamy, the grandfather of the petitioners.

4. If the petitioners trace out the title, which is a probable case pointing out to the tracing of the title to the settlement deed No.80 of 1960, then, it becomes a genuine dispute of title and it will be out of the Investigating Authority to file a Final Report accusing any offences against the petitioner. On the other hand, if the demarcation is very clear as to which of the properties covered under the settlement deed and thereafter, dealt with by the legal heirs of the said Padmanaba Chetty and if this property is clearly sold by the sale deed of the year 1959 and suddenly, in order to grab the property, the same is now included in the recent documents, then, accordingly, the Investigating Officer has to come to a conclusion as to whether any offence is made out or not. In view of the factual and detailed disputes that are raised, this Court is not in a position to agree that the documents which are now produced by the petitioners/accused are completely unimpeachable and there can be no



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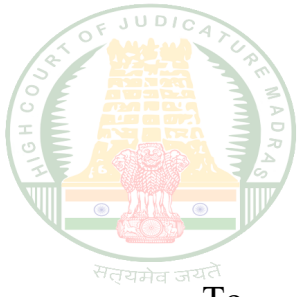
counter statement that can be made by the de facto complainant or found out by the Investigating Officer. This Court is not in a position to conclude that this case is purely civil in nature or that the complaint is an abuse of process of law. However, in view of the detailed submissions made by the petitioners, the petitioners, within one week from the date of receipt of a web-copy of this order, shall file all the relevant title documents supporting their claim and it is for the Investigating Authority to consider the documents filed by both sides and come to the conclusion as to whether it is a dispute as to the title or with a mischievous intent, at a later stage, the property, earlier sold to the petitioners, is now willfully and wantonly included in the list of properties. Therefore, this is not a case where the Court can interfere at the threshold of the investigation at the F.I.R stage.

5. Therefore, keeping open the liberty of the petitioners as mentioned above, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

29.06.2026

Neutral Citation : no
grs

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To
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1. The Inspector of Police,
CCB – Tambaram Police Station,
Chengalpattu District.
2. The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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