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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 27170 of 2026

CNR:{HCMA012212092026}

1. T.V.Amarnath

Petitioner(s)

Vs

1. The State rep by the Inspector of Police
Central Crime Branch, Avadi City,
Avadi, Chennai. Crime No. 12 of 2026

2.K.A. Sivaraj

Respondent(s)

CRL OP No. 27170 of 2026

PRAYER

To call for the records pertaining to crime no.12 of 2026 dated 05.02.2026 on the file of the first respondent and quash the same

CRL OP No. 27170 of 2026

For Petitioner(s): Ms.T. Dharani

For Respondent(s): Mr. A. Amarnath
Additional Public Prosecutor
For R1
R2 – No Appearance

ORDER

This petition has been filed to quash the FIR in Crime No.12 of 2026 dated 05.02.2026 on the file of the first respondent.

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2. On a complaint lodged by the second respondent, the first respondent registered FIR in Crime No.12 of 2026 for the offences punishable under Sections 419, 420, 465, 468 and 471 of the Indian Penal Code, 1860, alleging that the defacto complainant owned the subject property. The first accused's property situated at Vadaperumbakkam village Chennai, to an extent of 1800 sq.ft. in Plot No.17, Saraswathi Nagar. The first accused impersonated the defacto complainant and executed power of attorney in respect of the very same property in favour of the second accused. In turn, the second accused had executed a sale deed in favour of the third accused. In turn, the third accusation had executed a sale deed in favour of the fourth accused.

3. On perusal of the records and also the submission made on either side reveal that the petition is arrayed as A4. Even according to A2, the petitioner is the subsequent purchaser from A3 by a registered sale deed dated 11.08.2021, registered as Doc. No.8606 of 2021. He is the subsequent purchaser and he had absolutely no knowledge whatsoever regarding the alleged impersonation, forgery or antecedent fraudulent transactions about the subject property. In fact, after registration of FIR, the petitioner herein also cancelled the sale deed by way of a cancellation of sale deed wide Doc. No.14 of 2026 dated 07.09.2026.

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4. Therefore, mere purchase of property could not constitute any offence under Sections 419, 420, 465, 468 and 471 of the Indian Penal Code, 1860. It is not the case of the prosecution that A4 was colluded with the other accused persons and created encumbrance over the subject property. Originally, A1 had executed power of attorney in favour of A2 in respect of the subject property by impersonating the defacto complainant. Subsequently, A2 sold the property in favour of A3 and the A3 in turn sold the property in favour of A4, namely the petitioner herein for a valid sale consideration. After cancellation of sale deed, A4 also received the entire sale consideration from A3. In view of the above, the FIR registered in Crime No.12 of 2026 cannot be sustained as against A4, who is being the subsequent bonafine purchaser of the subject property.

5. Accordingly, the FIR in Crime No.12 of 2026 on the file of the first respondent is hereby quashed as against the fourth accused alone and this Criminal Original Petition is allowed. The first respondent is directed to complete the investigation in Crime No.12 of 2026 as against the other accused persons and file the final report in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

28-10-2026

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

1.The Public Prosecutor,
Madras High Court.

2. The Inspector of Police
Central Crime Branch, Avadi City,
Avadi, Chennai. Crime No. 12 of 2026

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G.K.ILANTHIRAIYAN J.

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