



WEB COPY

CRL RC No. 466 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 26-02-2026**

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**CRL RC No. 466 of 2026**

APMS Mohamed Ali  
S/o.APM Sahul Hameed Maraikayar,  
No. 2/170, APMS Gardens, ECR Road,  
Injambakkam, Chennai - 600 115.

Petitioner(s)

Vs

State Rep. by Inspector of Police  
J18 Neelankarai Police Station,  
Chennai - 600 115.

Respondent(s)

**PRAYER**

Criminal Revision Petition filed under Section 438 of BNSS to call for the records relating to the order dated 03.11.2025 passed in Crl.M.P.No. 1118/2025 by the learned District Munsif cum Judicial Magistrate, Sholinganallur and set aside the same, consequently direct the respondent to register the First Information Report on the complaint dated 26.05.2025.

For Petitioner(s): Ms. A.M.Amutha Ganesh

For Respondent(s): Mr.R.Vinothraja  
Government Advocate  
(Criminal Side)



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**ORDER**

The revision challenges the dismissal of the petitioner's application filed under Section 175 of BNSS.

2. The gist of the petitioner's case is that he had executed a Power of Attorney in the year 1996 and that the said Power of Attorney was misused by the agent and certain documents were executed in violation of the terms of the Power of Attorney. Since the respondent/Police did not register an FIR on the complaint given by the petitioner, he had approached the learned Magistrate, who, by the impugned order dismissed the petition filed by the petitioner seeking a direction to register an FIR against the proposed accused.

3. Learned counsel for the petitioner would submit that the allegation discloses a cognizable offence inasmuch as the Power of Attorney Deed does not confer any power of alienation; that the settlement deed executed pursuant to the Power of Attorney contains false averments and therefore, the offence of criminal breach of trust and forgery are made out.

4. Heard the learned Government Advocate (Crl.Side) for the respondent.

5. Admittedly, the Power of Attorney, was not revoked by the petitioner till the documents were executed by the proposed accused; even assuming that false averments had been made in the sale deeds, at best, would reveal that the proposed accused had made a false claim of title and the



judgment of the Honourable Supreme Court in *Mohammed Ibrahim V. State of Bihar* reported in *(2009) 8 SCC 751* would be squarely applicable to the facts

of the case. The allegations predominantly disclose only a civil dispute.

Therefore, there is no infirmity in the order passed by the learned Magistrate rejecting the prayer sought by the petitioner.

6. In the result, the revision stands dismissed.

**26-02-2026**

nv

To

1. The District Munsif cum  
Judicial Magistrate,  
Sholinganallur.
2. Inspector of Police  
J18 Neelankarai Police Station,  
Chennai - 600 115.
3. The Public Prosecutor,  
High Court, Madras.



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**SUNDER MOHAN J.**

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