



Crl.O.P.(MD)No.2436 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2026

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THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.2436 of 2023

and

Crl.M.P(MD) Nos.2189 of 2023 and 13472 of 2024

1. Pranav
2. Ishwarya
3. Ganesan
- 4.Rajangam
- 5.Ravichandran @ Ravi

.. Petitioners

Vs.

1.The Inspector of Police
District Crime Branch
Theni District

2. Vinupriya

.. Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the FIR in connection with Crime No.17 of 2022 dated 15.06.2022 on the file of the first respondent police and quash the same forthwith.

For Petitioners : Mr.B.Jeyakumar

For R-1 : Mr.J.Vishnu
Government Advocate(Crl.Side)



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ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.17 of 2022 dated 15.06.2022 on the file of the first respondent police.

2. The case of the prosecution is that the properties in S.R.No. 995/2B, 974/2B, 973/2B, 992/1, 992/2A, 992/2B, 994, 996/2B, 992/3, 990/43 situated at Pannaipuram Village belongs to Jeeva Educational Trust. The petitioner was the Manager of the Trust and power agent of one Rajangam and Ravi . The defacto complainant after visiting the property intended to purchase 60 cents of the property and approached A1 and his wife A2 and sale price was fixed at Rs.73 lakhs per cent and on 30.06.2019 a sum of Rs.1,00,000/- was paid as advance and thereafter they also demanded further advance of Rs.4,00,000/- and the said amount was transferred on 02.09.2019 and again on 17.09.2019 Rs.10,00,000/- was paid. After registration of the power of attorney they told that another property was also available for sale and it can be sold for Rs.35,000/- per cent and for that they promised to executed sale deed and totally



Rs.1,60,00,000/- was paid. When the defacto complainant made an attempted to get the sale deed in his favour, he came to know that A1 executed sale deed in favour of A2, who is the wife of A1. However when the same was questioned by the defacto complainant the A1 agreed to execute the sale deed through his wife/A2 and asked the defacto complainant to come to Devakottai Sub Registrar Office on 25.08.2021 . Accordingly the defacto complainant was present before the Sub Registrar Office, Devakottai to get the sale deed but the petitioner was absent and they cheated the complainant. When the same was questioned by the defacto complainant the accused criminally intimidated and therefore a case has been registered against the petitioners and others. Based on the complaint lodged by the defacto complainant the first respondent registered a case in Crime No.17 of 2022 for the offences under Sections 417,420,120(B), 506(i) of IPC and now the same is under challenge before this Court.

3. The learned counsel appearing for the petitioner would submit that the defacto complainant suppressed the main fact that there is a sale agreement dated 12.03.2020 between the parties and the total consideration was fixed at Rs. 3,44,40,000/- to an extent of 2 acre and 80



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cents and Rs.1,60,00,000/- was received as advance . The said sale agreement has been deposited by the defacto complainant with the Federal Bank of Pulikuthi Branch and now it is with the bank and there is no whisper about the sale agreement in the FIR and the same has been suppressed by her. The sale agreement which is focussed by the defacto complainant is a forged one and created to make a false complaint against the petitioners. Already suit in O.S.No.111 of 2021 is pending and this case is purely civil in nature . There is nothing true in the complaint and only to grab the properties the present complaint has been lodged. The defacto complainant neither get back the advance amount and nor come forward to pay the sale consideration. There are no ingredients to constitute the offences under Sections 417,420,120(B), 506(i) of IPC. Further the civil dispute has been given a criminal colour and thereby the pending proceedings is nothing but a clear abuse of process of law, thereby the proceedings are liable to be quashed.

4. The learned Government Advocate (Cri.Side) counsel appearing for the first respondent would submit that there is a dispute between the parties in respect of sale of property through agreement and thereby the second respondent lodged a complaint before the first respondent and the



first respondent registered a case in Crime No. 17 of 2022 for the offences under Sections 417,420,120(B), 506(i) of IPC. Thereafter the first respondent conducted investigation and the investigation is still pending and therefore prayed to dismiss the petition.

5. There is no representation on behalf of the second respondent.

6. In this case it is an admitted fact that there is an agreement between the parties for a sale of property and the total sale consideration was fixed at Rs. 3,44,40,000/- to an extent of 2 acre and 80 cents and Rs.1,60,00,000/- was received as advance on various dates. The parties also entered into agreement and as per the agreement a sum of Rs.40 lakhs was paid towards advance, but the complaint reveals that a sum of Rs.1,60,00,000/- was paid. Therefore there are contradiction between the complaint and the agreement in respect of advance amount. Thereafter no steps have been taken by the parties to get the sale deed executed and the petitioners have not taken any steps to get the sale deed executed in her favour and not even issued notice regarding the alleged sale agreement dated 12.03.2020 and no steps have been taken for specific performance of contract. The First Information Report has been registered on 15.06.2022



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and even the averments in the First Information Report clearly shows that there is civil dispute between the parties in respect of sale of property through sale agreement, therefore the dispute is purely civil in nature. There are no records to show that the second respondent demanded return of advance and had taken steps in accordance with law. However for the civil dispute they lodged a criminal complaint and based on the same, the respondent police also registered the case for the offences under Sections 417,420,120(B), 506(i) of IPC thereby the civil dispute has been given colour of criminal. In order to attract the provisions under Sections 417,420,120(B), 506(i) of IPC there are no averments in the First Information Report and there are no averments that the petitioner dishonestly induced to deliver some property and caused criminal intimidation and threatened with dire consequences and the said threats caused fear in the mind of the defacto complainant . Even if the First Information Report averments are taken to be true no offences are made out and therefore the pending First Information Report is nothing but abuse of process of law and the same is liable to be quashed

7. In view of the same, the Criminal Original Petition stands allowed and the pending First Information Report in Crime No.17 of 2022



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on the file of the first respondent police is hereby quashed. Consequently
connected miscellaneous petitions stand closed.

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15.06.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1.The Inspector of Police
District Crime Branch
Theni District

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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