



CRL OP(MD). No.3125 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 18/02/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.3125 of 2024

and

Crl.M.P(MD).Nos.2496 and 2497 of 2024

M.R.Sitheshwaran @ Shiva,

... Petitioner

Vs

1. The Inspector of Police,
District Crime Branch (DCB),
Tiruchirappalli District..

2. Ravi,
S/o. Natarajan,

... Respondents

PRAYER :- Petition filed under Section 528 of BNSS, to call for the records and quash the proceedings in CC.No.1351 of 2021 on the file of the Judicial Magistrate Court No.I, Tiruchirappalli as far as the Petitioner/Accused No.5 is concerned.

For Petitioner	: Mr.L. Prabhu,
For R1	: Mr.M.Sakthi Kumar,
	Government Advocate (Crl.Side)
For R2	: Mr.B.Jeyakumar



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ORDER

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This petition has been filed seeking to quash C.C.No.1351 of 2021 on the file of the Judicial Magistrate Court No.I, Tiruchirappalli. The learned counsel for the petitioner submitted that petitioner is the 5th accused in C.C.No.1351 of 2021 on the file of the Judicial Magistrate Court No.I, Tiruchirappalli.

2. The case of the prosecution is that the accused Nos. 1 to 4, on various dates, borrowed a loan from the defacto complainant. For the purpose of securing the said amount, they allegedly fraudulently created a title deed in respect of certain properties over which they had no title and thereafter executed a mortgage deed for a sum of Rs. 50,00,000/-. It was subsequently discovered by the defacto complainant that the said documents were forged and fraudulent. Thereafter, the defacto complainant lodged a complaint against the accused persons, which was registered as Crime No.10 of 2021 on 10.07.2021.

3. The learned counsel for the petitioner submitted that the petitioner is neither directly nor indirectly connected with the loan



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obtained by the other accused persons and a plain reading of the final report would make it clear that no specific overt acts are made out against the petitioner. Hence, he seeks quashing of the charge sheet.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the offences under Sections 294(b) and 506(i) are clearly made out against the petitioner and therefore, this Criminal Original Petition should be dismissed.

5. The learned counsel for the second respondent submitted that a discharge petition had already been filed by all the accused before the learned Judicial Magistrate No. I, Tiruchirappalli and the same was dismissed on 14.11.2022. Challenging the said order, a revision petition was filed before the Sessions Court, which was also dismissed on 19.05.2025. Having not succeeded in those proceedings, the petitioner has now approached this Court by filing the present petition. Hence, he prays for dismissal of this petition.



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6. Heard both sides and perused the materials available on record.

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7. This Court has carefully perused the contents of the final report, wherein the allegation against the petitioner is that he abused the defacto complainant in filthy language and also criminally intimidated him with threats of death. However, no specific overt act has been mentioned in the final report so as to attract the offence under Section 294(b) of the IPC. Further, the offence under Section 506(i) of the IPC would be made out only when the alleged act of criminal intimidation has a real and direct impact, causing alarm to the defacto complainant so as to give effect to the threat.

8. However, in the instant case, the alleged threat is only to the effect that the petitioner would not be left alive if he demanded repayment of the money. There is nothing to show that the said threat had any real or consequential impact so as to give effect to the same. Hence, the offence under Section 506(1) of the IPC is also not made out. Accordingly, this impugned final report in CC.No.1351 of 2021 on the file of the Judicial Magistrate Court No.I, Tiruchirappalli is quashed against the petitioner alone and the trial Court is directed to conclude the



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trial as against the other accused persons within a period of three months from the date of receipt of a copy of this order. This Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

18.02.2026

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TO

1.The Judicial Magistrate Court No.I,
Tiruchirappalli.

2. The Inspector of Police,
District Crime Branch (DCB),
Tiruchirappalli District..



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L. VICTORIA GOWRI,J

tta

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