



Crl. O.P.(MD) No.4592 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P.(MD) No.4592 of 2026

and

Crl.M.P.(MD).No.4880 of 2026

M.Palraj,
S/o.Mariappa Nadar,

... Petitioner/Accused No.2

Vs

1. The State of TamilNadu Rep. by
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(Crime No.247/2024).

2. Mariya Varapasatham

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the entire records pertaining to the case in Crime No.247 of 2024 pending on the file of the Inspector of Police, Sivakasi East Police Station, Virudhunagar District and quash the same as against the petitioner and pass such further or other orders.

For petitioner : Mr.R.Anand

For Respondent No.1: Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)



Crl. O.P.(MD) No.4592 of 2026

WEB COPY

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.247 of 2024 on the file of the first respondent police station.

2. The petitioner herein is the tenant, and the 2nd respondent is the landlord. The 2nd respondent has lodged a complaint before the first respondent police station alleging that the petitioner has created a forged preemption deed in his favour, as if it had been signed by him.

3. According to the petitioner, he has already filed a Civil Suit in O.S. No. 55 of 2022 before the Sub Court, Sivakasi, seeking the relief of declaration to declare certain documents executed by his landlord as null and void, and for a permanent injunction restraining the landlord from disturbing his possession. As a counterblast, the 2nd respondent/landlord has lodged a criminal complaint.

4. The learned Counsel for the petitioner further submits that the petitioner has relied upon the preemption document before the Civil Court and the same has to be stayed until the disposal of the Civil Suit. The police officials cannot be permitted to proceed with the investigation, as any progress made in the criminal



Crl. O.P.(MD) No.4592 of 2026

prosecution would affect the rights of the petitioner before the Civil Court. He further submits that they have to wait until the disposal of the civil suit.

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

6. A perusal of the First Information Report reveals that there is a specific allegation against the petitioner that he has forged the preemption deed as if it had been executed by the second respondent. The son of the petitioner filed a petition in Crl.O.P.(MD) No.15255 of 2025 before this Court to quash the FIR in Crime No.247 of 2024. This Court, by order dated 06.11.2025, quashed the said FIR in Crime No.247 of 2024 in respect of the petitioner's son. However, a perusal of the said order reveals that there were no specific overtact alleged against the petitioner's son.

7. In such circumstances, this Court proceeded to quash the FIR. On the other hand, specific overtact has been alleged against the petitioner. In such circumstances, this Court is not inclined to entertain the present Criminal Original Petition seeking to quash the FIR. However, any progress made in the criminal proceedings will not affect the petitioner's rights in the Civil Suit.



Crl. O.P.(MD) No.4592 of 2026

WEB COPY

8. In view thereof, this Criminal Original Petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

Index : Yes / No

02.03.2026

Internet : Yes / No

gvn

To

1. The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.

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



WEB COPY



Crl. O.P.(MD) No.4592 of 2026

R.VIJAYAKUMAR, J.

gvn

Crl.O.P.(MD) No.4592 of 2026

02.03.2026