



CRL A (MD). No. 133 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 29.01.2026

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THE HONOURABLE MRS. JUSTICE **N.MALA**

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S.Parvathi

... Appellant/3rd Party

Vs

1.The State of Tamil Nadu,
Rep. By the Inspector of Police,
Vigilance and Anti Corruption,
Trichy (Crime No.6 of 2001)

..1st Respondent/Complainant

2.Janakiraman

3.Vasanthi

... Respondents 2 & 3/Accused 1 & 2

PRAYER :- This appeal is filed under Section 454 Cr.P.C/500 BNSS to call for the records and set aside the portion of the order in Special Case No.91 of 2011 on the file of the Special Judge for Trial of Cases under Prevention of Corruption Act, Tiruchirappalli dated 25.04.2024 so far as the appellant's property in S.No.1044/2 and 1044/3 is concerned, which is now sub-divided as S.No.1044/173 situated in Vilpatty Village, Kodaikanal Taluk, Dindigul District.



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For Appellant	: Mr.K.Kaviarasan
For R1	: Mr.B.Nambi Selvan Additional Public Prosecutor
For R2	: Mr.V.S.Kishok Kumar
For R3	: Mr.R.Sivakumar

JUDGMENT

This appeal is filed against the judgment in Special Case No.91 of 2011 on the file of the Special Judge for Trial of Cases under Prevention of Corruption Act, Tiruchirappalli dated 25.04.2024, insofar as it relates to the appellant's property in S.No.1044/2 and 1044/3, which is now subdivided as S.No.1044/173, in Vilpatty Village, Kodaikanal Taluk, Dindigul District.

2. The appellant purchased the property in S.No.1044/173, admeasuring 2076.25 square feet, at Vilpatty Village, Kodaikanal Taluk, Dindigul District. The subject property forms a part of the larger extent of 2 acres in S.Nos.1044/2 and 1044/3 and it belonged to one M/s.Suja Investments and Estates. The said estates plotted out the lands and



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formed a lay out in the name and style of Elite Garden. In the said layout one Mr.Isaac Mohanlal, purchased Plot No.6,measuring an extent of 2076.25 sq.ft under sale deed dated 30.04.2009 bearing Doc.No. 869/2009, on the file of the Kodaikanal SRO. Subsequently, Mr.Isaac Mohanlal sold the above property to one Mr.S.P.Gowtham, S/o S.Periyasamy under sale deed dated 18.12.2024 vide Doc.No. 70/2025 on the file of the Kodaikanal SRO. The appellant in turn purchased the property from the said S.P.Gowtham, under a registered sale deed dated 19.02.2025, in Document No.384 of 2025 on the file of the Sub Registrar Office, Kodaikanal. On the date of the appellant's purchase, the patta for the property stood in the name of Mr.S.P.Gowtham, in Patta No.13608 and the property was sub-divided as S.No.1044/1 73. Based on the sale deed, the appellant had mutated the revenue records in her name and obtained a patta in Patta No.13622.

3. While so, to the shock and surprise of the appellant, she came to know that the property was confiscated by a judgment dated 25.04.2024 in Spl.S.C.No.91 of 2011, of the learned Special Judge for Trial of Cases under Prevention of Corruption Act, Tiruchirappalli, whereunder, one



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V.Janakiraman, Ex-Sub Registrar, Kodaikanal and his wife Vasanthi were convicted for acquiring disproportionate assets. The Inspector of Police, Vigilance and Anti Corruption, Trichy issued a communication dated 29.04.2024, to the Inspector General of Registration, Chennai, regarding the confiscation of the properties of the aforesaid persons which included the appellant's property. The appellant, as a third party to the proceedings, was not put on notice of the said proceedings. The appellant states that she is a *bonafide* purchaser without notice of the confiscation proceedings and therefore she is constrained to file the appeal to safeguard her property.

4. The learned counsel for the appellant submitted that some of the purchasers of the property, who were affected by the confiscation order in identical situation, filed criminal appeals before this Court in Crl.A (MD)Nos. 994 to 1019 and 1076 of 2025. This Court, vide common order dated 30.10.2025, allowed the appeals by setting aside the confiscation orders insofar as the property of the appellants therein were concerned and remanded the matters to the learned Special Court for fresh consideration and for passing orders in accordance with law. The



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learned counsel for the appellant submitted that identical issues as raised in those appeals are raised in the present appeal and hence prayed that similar orders may be passed in this appeal.

5. I have heard both sides and perused the materials available on record.

6. It is undisputed that the appellant purchased property in S.No. 1044/2 and 1044/3, now sub-divided as S.No.1044/173 in Vilpatty Village, Kodaikanal Taluk, Dindigul District under a sale deed dated 19.02.2025. The appellant claims that she is a *bonafide* purchaser without notice of the criminal case and the confiscation proceedings. The appellant is a third party to the proceedings in Spl.Case No.91 of 2011 and hence was neither served notice nor heard. The appellant aggrieved by the confiscation order dated 25.04.2025, in Spl.Case No.91 of 2011, insofar as it relates to her property in S.No.1044/173 in Vilpatty Village, Kodaikanal Taluk, Dindigul District, has filed the above appeal.

7. This Court has carefully considered the submissions made on



either side. It is not in dispute that in several identical matters, this Court has remanded the cases for fresh consideration. The appellant claims to be a *bonafide* purchaser of the property in question and has specifically asserted that the purchase was effected without any notice or knowledge of the confiscation proceedings. It is evident from the records that no notice and opportunity of hearing was afforded to the appellant before passing the order of confiscation. Such deprivation of opportunity strikes at the very root of fair procedure and is in clear violation of the principles of natural justice.

8. In view of the above, this Court is of the considered opinion that the order of confiscation cannot be sustained in law and deserves to be set aside with a direction to reconsider the matter afresh.

9. Accordingly, this Criminal Appeal is allowed and the order of the learned Special Judge for Trial of Cases under Prevention of Corruption Act, Tiruchirappalli, dated 25.04.2024, in S.C.No.91/2011 in so far as it relates to the confiscation order in respect of property in S.No.1044/2 and 1044/3 is concerned, which is now sub-divided as S.No.



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1044/173, in Vilpatty Village, Kodaikanal Taluk, Dindigul District, is hereby set aside. Consequently, the matter is remitted to the learned Special Judge, to consider the matter afresh by giving reasonable opportunity of hearing to the appellant and the prosecution and thereafter to pass appropriate orders on merits and in accordance with law.

29.01.2026

CM

To,
1. The Inspector of Police,
Vigilance and Anti Corruption,
Trichy

2. The Special Judge for Trial of Cases
under Prevention of Corruption Act,
Tiruchirappalli

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



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N.MALA., J

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