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Order QR

Crl.O.P.No.9756 of 2025 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 10.09.2026

PRONOUNCED ON : 25.09.2026

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.Nos.9756, 12717, 12724 & 15044 of 2026
and Crl.M.P.Nos.6942, 8626, 8635, 9659 & 9661 of 2025

K.Venkata Subramanian
S/o.Late K.A Krishnan
No.27/10 Sri Lakshmi Apartments, Krishna
Road, New Perungalathur, Near Sekar Mahal,
Chennai - 600 063.

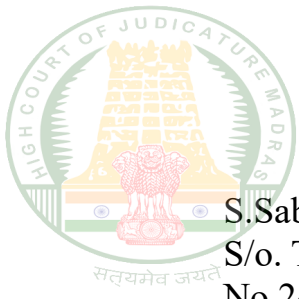
...Petitioner(s) in Crl.O.P.
No.9756 of 2026

B. Manimozhiyan,
Sub-Registrar (under Suspension)
Joint II Sub Registrar Office,
Tindivanam.
55/1(2), West Ratha Street,
Vasanthanagar Maanamadurai,
Sivaganga District – 630 606.

...Petitioner(s) in Crl.O.P.
No.12717 of 2026

R.Ravindranath
S/o. Ramasamy
No.108, Padikupam Road,
Pace Prana Appartment,
Anna Nagar Extension,
Chennai – 108.

...Petitioner(s) in Crl.O.P.
No.12724 of 2026



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S.Sabareesh
S/o. T.Subbiah,
No.248 D, Unique Apartment,
Parvati Nagar South 3rd Street,
Madampakkam, Chennai – 126.

...Petitioner(s)in Crl.O.P.
No.15044 of 2026

Vs

1. The State rep by its
The Deputy Superintendent of Police,
Metro II Crime Branch CID,
Egmore, Chennai.
OCU I FIR IN CR.No.2 of 2022
2. D.Kalaivani
W/o.N.R.Dhandapani
Old No.70, New No.24 Savarimuthu Street,
Mannadi, Chennai - 600 001

...Respondent(s) in all
Crl.O.Ps.

Common Prayer: Criminal Original Petitions filed under Section 482 of Code of Criminal Procedure, to call for the records culminating in the impugned C.C.NO.123 of 2026 pending on the file of the Learned XI Metropolitan Magistrates Court at Saidapet, Chennai (Trial Court), quash the same in so far as the Petitioners is concerned.

For Petitioner(s) in
Crl.O.P.No. 9756 of 2026:

Mr.A.Aravindan

For Petitioner(s) in
Crl.O.P.No. 12717 of 2026:

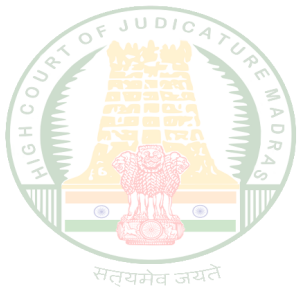
Mr. Naveen Kumar Murthy
For Mr. V.Aravind Karthikeyan

For Petitioner(s) in
Crl.O.P.No. 12724 of 2026:

Mr. N.Manokaran
For Mr. P.Krishnan

For Petitioner(s) in
Crl.O.P.No. 15044 of 2026:

Mr.P.Kumaresan, Senior Counsel
For Mr. M.Shreeraam



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Crl.O.P.No.9756 of 2025 etc.

For Respondent(s) in all
Crl.O.Ps.:

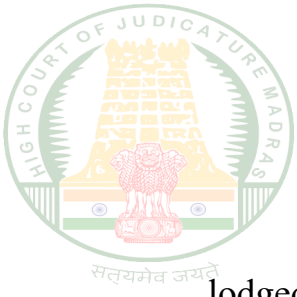
Mr.M.Dinesh
Government Advocate (Crl. Side) for R1

Mr.J.R.K.Bhavanantham for R2

COMMON ORDER

These Criminal Original petitions have been seeking to quash the proceedings in C.C.No.123 of 2026 pending on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai, thereby taken cognizance for the offences punishable under Sections 120B, 420, 448, 465, 467, 468 & 471 of IPC, as against the petitioners.

2. All the petitioners herein are arrayed as accused in C.C.No.123 of 2026, pending on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai. The petitioner in Crl.O.P.No.15044 of 2026 is arrayed as A3; the petitioner in Crl.O.P.No.12717 of 2026 is arrayed as A4; the petitioner in Crl.O.P.No.9756 of 2026 is arrayed as A5; and the petitioner in Crl.O.P.No.12724 of 2026 is arrayed as A6. All the petitioners have filed the respective petitions seeking to quash the proceedings in C.C.No.123 of 2026 pending before the learned XI Metropolitan Magistrate, Saidapet, Chennai. Since the relief sought for in all these petitions arises out of the same proceedings, this Court deems it appropriate to dispose of all the petitions by way of this common order.



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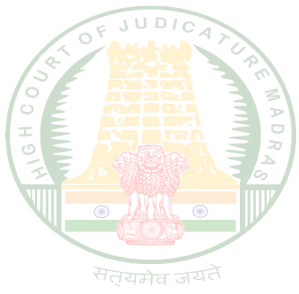
3. The case of the prosecution is that the second respondent lodged a complaint alleging that the first accused, in collusion with A2 to A7 and others, fabricated Sale Deed Document No.3994 of 1975 dated 20.10.1975 by converting a mortgage deed into a sale deed in the records of the Sub-Registrar Office, Tambaram. It is further alleged that, thereafter, the accused made corrections in the index registers and uploaded the alleged sale deed as a genuine document. Based on the said document, A1 allegedly obtained patta on 18.10.2020 in respect of Survey Nos.230/1B, 125/1A and 125/1C, claiming a total extent of about 123/128 cents, even though no such sale deed was available in the records of the Sub-Registrar Office, Tambaram.

4. It is further alleged that the proposals for uploading and carrying out corrections in the relevant records were initiated and processed using the user IDs and passwords of the concerned registration officials, including A2 to A6, despite their alleged knowledge of the forgery. It is also alleged that A7, the Village Administrative Officer, supported A1 by accepting and recommending the forged document for issuance of patta and by issuing land tax receipts for a period of 30 years on the very same day. The prosecution further alleges that A1, along with about 30 others, trespassed into the subject property belonging to the



second respondent, damaged the shed situated therein and removed the articles kept in the said premises.

5. The second respondent initially approached the Inspector of Police, Land Grabbing-II, CCB-II, Vepery, Chennai and after enquiry, a report dated 13.04.2021 was issued directing the second respondent to seek appropriate remedy before the revenue authorities. Aggrieved by the said report, the second respondent filed W.P.No.11751 of 2021 seeking transfer of the investigation. This Court, by order dated 28.02.2022, transferred the complaint to the first respondent police, directed registration of an FIR and further directed the police to complete the investigation within a period of nine months. Accordingly, Crime No.2 of 2022 dated 25.04.2022 was registered against the accused for the offences punishable under Sections 120B, 147, 148, 448, 427, 379, 465, 467, 468 and 471 of the IPC. Upon completion of the investigation, the first respondent filed the final report, which was taken cognizance by the learned Trial Court in C.C.No.123 of 2026 for the offences punishable under Sections 120B, 420, 448, 465, 467, 468 and 471 of the IPC. Aggrieved by the same, the petitioners, who are arrayed as A3 to A6, have filed the present petitions seeking to quash the proceedings.



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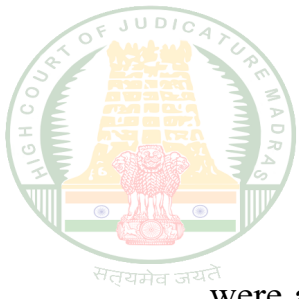
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6. The learned Senior Counsel appearing for the petitioner/A3 in Crl.O.P.No.15044 of 2026 submitted that the period during which the alleged offences were committed is stated to be from 18.10.2020 to 05.02.2021. During the said period, no documents were scanned using the login ID of A3. It is contended that A2 had unauthorisedly used the login credentials of A3, with a mala fide intention and for an ulterior motive, committed the alleged acts without the knowledge or consent of A3. A3 was not even aware of the alleged misuse of his login credentials for scanning the documents. The process relating to correction of the index is initiated by submitting a written application along with the original documents before the Sub-Registrar. Thereafter, it was scrutinised and the genuineness of the documents is verified with reference to the original books and registers maintained in the Sub-Registrar Office. Upon such verification, if the original documents produced by the applicant are found to tally with the original records maintained in the registers, but there is a discrepancy in the Encumbrance Certificate, then the Sub-Registrar forwards the application along with his report to the District Registrar for obtaining final approval. Upon such approval, the necessary correction is carried out in the Encumbrance Certificate. Therefore, he submitted that the mere use of the login credentials of A3, without his

knowledge cannot by itself establish his involvement in the alleged offences.

6.1. The learned Senior Counsel further submitted that the Sub-Registrar is arrayed as A5. However, the application in question was received and acknowledged by A2, whereas the final approval was granted by A6, who was the District Registrar. Accordingly, three index correction petitions were approved on 20.08.2020, 31.03.2021 and 23.04.2021. Therefore, A3 to A5 neither received the applications nor carried out any correction in the relevant records. It is further submitted that the second respondent had initially lodged the complaint alleging trespass and damage to the property by A1 and his associates. However, the other accused have subsequently been falsely implicated in the case without any material to establish their involvement in the alleged fabrication or correction of records. He further submitted that, on a perusal of the CCTV footage available at the Sub-Registrar Office, it is evident that A3 to A5 were not present in the office at the relevant point of time. Thus, there is no material to establish their participation or conscious involvement in the alleged acts.



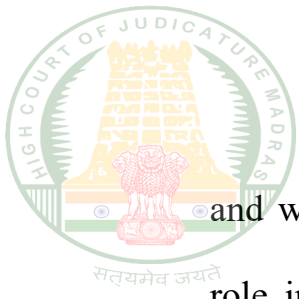
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6.2. He further submitted that the login credentials of the accused

were accessed from an IP address located at Tambaram and the Chennai Joint South Integrated Office, and the same was also corroborated by one of the witnesses. It is contended that A2 had received the application seeking correction and had misused the login credentials of the staff. She had also impersonated the Sub-Registrar, Tambaram, and affixed the signature of the Sub-Registrar on the index correction petition and thereafter forwarded the same for approval before the District Registrar, who is arrayed as A6. One of the witnesses has also spoken about the alleged acts committed by A2. It is further submitted that A1 and A7, who was the Village Administrative Officer, had allegedly conspired together and created a bogus sale deed. On the strength of the said document, the title was subsequently transferred in favour of A1 and patta was also obtained in the year 2020. Thereafter, upon the alleged transfer of title, A1 approached A2 for carrying out correction in the Encumbrance Certificate. Therefore, it is submitted that there are no specific allegations or materials against A3 to A5 to establish their conscious participation, hence the offences alleged against them are not made out.

7. The learned counsel appearing for the petitioner in Crl.O.P.No.12724 of 2026 submitted that the petitioner was arrayed as A6



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and worked as District Registrar during the relevant period and had no role in the alleged offence. He was only the approving authority and, upon receipt of the recommendation from the concerned Sub-Registrar, was required to consider and endorse the same in accordance with the prescribed procedure. It is further submitted that the petitioner served as the District Registrar in the Chennai South Registration District from 01.08.2018 to 31.08.2021. Thereafter, he was promoted as Deputy Inspector General of Registration and served as Deputy Inspector General of Registration at Madurai from 25.09.2023 and was subsequently transferred to Salem. During his tenure as District Registrar, the petitioner approved as many as 13,647 corrections submitted by 17 Sub-Registrars, which included the correction relating to Document No.3994 of 1975. Therefore, the mere approval of the correction in the course of his official duties cannot by itself, establish his participation in the alleged conspiracy or fabrication of documents. It is submitted that A6 neither colluded with the other accused persons nor acted with any mala fide intention in approving the correction in question.

7.1. The learned counsel further submitted that there is absolutely no independent material on record to establish the active participation, criminal intent or *mens rea* of A6 in the creation of the alleged forged

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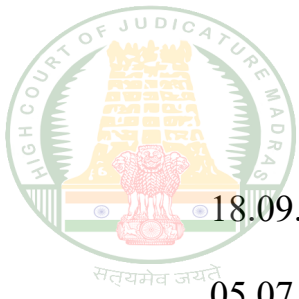
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document, manipulation of the volume registers, uploading process, alteration of entries, or subsequent use of the alleged forged document as genuine. It is further submitted that the prosecution has failed to establish any motive, pecuniary benefit or wrongful gain attributable to A6. The mere fact that A6, in his capacity as District Registrar, approved the correction pursuant to the recommendation made by the concerned Sub-Registrar, without any material demonstrating his conscious involvement in the alleged fraudulent acts, would not be sufficient to fasten criminal liability upon him. Hence, he prayed to allow the quash petition.

8. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

9. On perusal of the records and upon considering the submissions made by the learned counsel appearing on either side, this Court finds that there are prima facie materials indicating that the accused persons had acted in concert and, in furtherance of their alleged conspiracy, inserted a forged Sale Deed bearing Document No.3994 of 1975 dated 20.10.1975 by incorporating the number of a mortgage deed into the relevant volume book. They also made corrections in the index registers and that the said document was uploaded on 01.09.2020,

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05.07.2021 and 09.07.2021 with the intention of creating an encumbrance over the subject property in favour of A1. The materials collected during investigation further indicate that the accused persons had coordinated with each other in the process, including the use of login credentials, repeated uploading of the alleged document and obtaining approval from the higher authorities. Therefore, at this stage, the role attributed to each of the petitioners cannot be viewed in isolation, as the allegations indicate that their respective acts formed part of the larger alleged conspiracy. The repeated use of the login credentials of the concerned officials, coupled with the other materials collected during investigation, cannot be brushed aside at this stage, as mere unauthorised misuse of their credentials.

10. The question as to whether the petitioners had knowledge of the alleged forgery, whether they consciously participated in the alleged conspiracy and whether they possessed the requisite *mens rea* are all matters which require appreciation of the oral and documentary evidence. Such disputed questions cannot be conclusively adjudicated in a petition filed under Section 482 of Cr.P.C. Once a *prima facie* case of conspiracy is disclosed, the individual acts allegedly committed by the conspirators in furtherance of the common design require consideration along with the

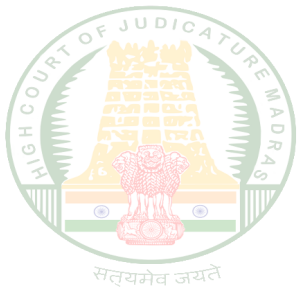


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entire chain of circumstances. Therefore, the grounds raised by the petitioners, regarding lack of knowledge, misuse of login credentials, absence of physical presence and mala fide intention, have to be established before the Trial Court by adducing appropriate evidence.

11. That apart, the offences punishable under Sections 465, 467, 468 and 471 of the IPC do not necessarily require proof of any monetary benefit having been derived by the accused. The commission of the acts constituting forgery and the making or use of a forged document, coupled with the requisite knowledge and intention, are sufficient to attract the respective penal provisions. In the present case, the materials collected during investigation prima facie indicate that the alleged acts were committed in furtherance of the wrongful gain sought to be secured by A1 and the corresponding wrongful loss caused to the second respondent. Therefore, at this stage, there are sufficient materials to disclose the commission of the alleged offences relating to cheating, forgery and fabrication of documents. The repeated use of the login credentials of the concerned accused and the forwarding of documents through their respective user IDs for approval cannot be considered in isolation. The prosecution does not rely solely upon the login records to establish the involvement of the petitioners.



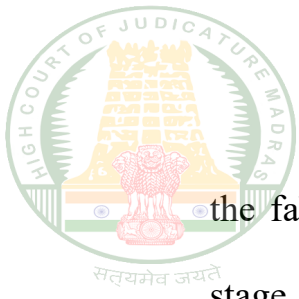
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12. The electronic records have to be considered along with the surrounding circumstances, including the conduct of the accused, the official processing of the documents, the correction proposals, the statements of the witnesses and the subsequent use of the alleged forged documents. The investigation also reveals that several corrections were carried out in the registration records relating to the title, survey numbers and extent of the subject property. These corrections have been made in connection with the forged sale deed and thereafter used to create a false claim over the property belonging to the second respondent. Thus, the electronic records, when considered cumulatively with the other materials collected during investigation, disclose prima facie circumstances connecting the accused with the alleged acts. Whether the said materials are sufficient to establish the offences beyond reasonable doubt is a matter for consideration by the Trial Court after completion of the trial and cannot be determined at this stage.

13. Further, the materials collected during investigation indicate that the accused persons had allegedly played different roles at different stages in the process of introducing, uploading, correcting and approving



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the fabricated document. Therefore, the case of the prosecution, at this stage, cannot be viewed as one in which the acts attributed to one accused necessarily exclude the participation of the others. Rather, the allegations disclose a concerted and coordinated course of conduct involving a series of connected acts. A criminal conspiracy may be established from the cumulative effect of the conduct of the accused persons and the surrounding circumstances. Whether the said circumstances ultimately establish the charge of conspiracy beyond reasonable doubt is a matter for determination by the Trial Court after appreciation of the evidence. At this stage, the materials available on record cannot said to be wholly insufficient to proceed against the petitioners for the alleged offence of conspiracy.

14. Insofar as A6 is concerned, the materials collected during investigation indicate that, despite being the final approving authority in his capacity as District Registrar, he repeatedly approved the index corrections relating to the very same document on three occasions, namely, 20.08.2020, 31.03.2021 and 23.04.2021. These approvals facilitated the incorporation and continuation of the alleged forged entries and thereby enabled the creation of a false claim in favour of A1. The A6 being a District Registrar and the final approving authority, was expected

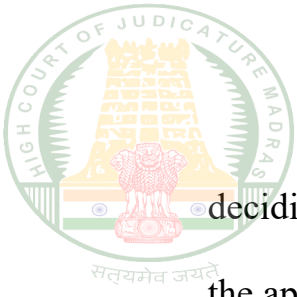


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to exercise due scrutiny while approving corrections relating to material particulars such as title, ownership, survey number and extent of the property. The mere assertion that A6 acted only in his official capacity cannot by itself absolve him of the allegations made against him, particularly when the prosecution has placed materials indicating repeated approvals in respect of the same document. Equally, the question whether any statutory or official protection is available to A6 would depend upon the nature of the acts alleged and the evidence ultimately adduced before the Trial Court. Therefore, the grounds raised by the petitioners involves disputed questions of fact and cannot be conclusively adjudicated. Hence, the entire proceedings cannot be quashed at this stage.

15. In this regard, the Hon'ble Supreme Court of India in the case of ***Devendra Prasad Singh Vs. State of Bihar & Anr., (Crl.A.No.579 of 2019 dated 02.04.2019)*** reported in ***2019 (4) SCC 351***, while dealing with the petition to quash the entire criminal proceedings held that the High Courts have no jurisdiction to appreciate the statement of the witnesses and record a finding that there were inconsistencies in their statements and therefore, there was no prima facie case made out as against the accused. It could be done only by the Trial Court while



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deciding the issues on the merits or by the Appellate Court while deciding the appeal arising out of the final order that the charge sheet has been laid on the basis of the inconsistency statement under 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

16. Further, the Hon'ble Supreme Court of India in the case of ***Central Bureau of Investigation Vs. Arvind Khanna, (Crl.A.No.1572 of 2019 dated 17.10.2019)*** reported in ***2019 (10) SCC 686***, held that the High Courts cannot record the findings on the disputed facts. The defence of the accused is to be tested after appreciation of evidence by the trial Court during the trial. Therefore, this Court cannot consider the disputed facts under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

17. The Hon'ble Supreme Court of India in another judgment dated ***02.12.2019*** passed in ***Crl.A.No.1817 of 2019*** in the case of ***M.Jayanthi Vs. K.R.Meenakshi & anr***, held that while considering the petition for quashment of complaint or charge sheet, the Court should not embark upon an enquiry into the validity of the evidence available. All that the Court should see is as to whether there are allegations in the complaint which form the basis for the ingredients that constitute certain offences complained of. Further, the Court can also see whether the

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preconditions requisite for taking cognizance have been complied with or

not and whether the allegations contained in the complaint, even if accepted in entirety, would not constitute the offence alleged. Whether the accused will be able to prove the allegations in a manner known to law would arise only at a later stage i.e., during trial.

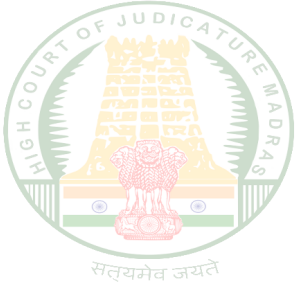
18. Further this Court cannot observe at this stage as to whether the initiation of criminal proceeding itself is malicious or not. The same is required to be considered at the conclusion of the trial. Therefore, the grounds raised by the petitioner to quash the final report/charge sheet cannot be entertained and this Court is not inclined to quash the proceedings in C.C.No.123 of 2026 on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai.

19. Accordingly, all the Criminal Original Petitions stand dismissed. Consequently, connected miscellaneous petitions are also closed.

25.09.2026

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

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G.K.ILANTHIRAIYAN. J,

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To

1. The XI Metropolitan Magistrate,
Saidapet, Chennai
2. The Deputy Superintendent of Police,
Metro II Crime Branch CID,
Egmore, Chennai.
3. The Public Prosecutor,
Madras High Court,
Chennai.

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