



CRL.OP.No.6535 of 2026

M. NIRMAL KUMAR, J.

The matter is listed today under the caption “for being mentioned” at the instance of the learned counsel for the petitioner.

2. The learned counsel for the petitioner submitted that in the order dated 26.03.2026 in CRL.OP.No.6535 of 2026, instead of mentioning “Ex.P6”, it was inadvertently mentioned as “Ex.P17” and the same may be corrected.

3. In view of the above submission, the Registry is directed to substitute “Ex.P17” with “Ex.P6” in paragraph 4. Further, the Registry is directed to substitute paragraphs 6 to 9 in the order dated 26.03.2026 with the following text and issue a fresh copy to the parties forthwith:

“6.From the report, it is clear that the document of the petitioner in No.P-224/2009 was summoned from the Office of the Sub Registrar, Thiruporur, for the purpose of comparison and the same was sent to the Forensic Laboratory and the report also been received. This document has been marked as Ex.P6. The trial has concluded. There is no confirmation that



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the petitioner is the person, who had submitted the document and also no objection for the document to be handed over to the petitioner. The only requirement is that the certified copy of the document can be replaced in case it requires for the appeal.

7.Considering the facts and circumstances of the case and submissions made on both sides, it is seen that the trial has been completed, the accused had been convicted, the document has been marked as Ex.P6 by PW8 and the forensic report has also been collected, which also forms part of the case documents.

8.In view of the above, there cannot be any objection for returning Ex.P6 to the Office of the Sub Registrar, Thiruporur, for further processing of the document and thereafter, the petitioner can collect it from the Office of the Sub Registrar, Thiruporur.

9.As regards the substitution of the document in Ex.P6 is concerned, there shall be a direction to the Trial Court to substitute Ex.P6 with the a certified copy. The original document of Ex.P6 to be handed over to the Office of the Sub Registrar, Thiruporur, who shall depute a person to collect the same from the Trial Court. Thereafter, the document P-224/2009 to be admitted if it is in order and the sale deed to



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be registered and handed over to the petitioner. The entire process to be completed within a period of four weeks from the date of receipt of a copy of this order.”

pvs

07.04.2026



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M. NIRMAL KUMAR, J.

pvs

CRL.OP.No.6535 of 2026

07.04.2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

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CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6535 of 2026

1. A.Radhakrishnan
S/o.Arumugam, No. 4/3, Pillaiyar Koil
Street, Kazhipattur Village, Padur Post,
Thiruporur Taluk, Kanchipuram
District.

Petitioner(s)

Vs

1. State Rep. by The Inspector of Police
Crime Branch CID, Kanchipuram,
Kancheepuram. Crime No. 13/2010

2.Anwar RPM Adam
S/o.Pal Mohammed, No. 125,
Suthanandha Bharathi Street,
Ganapathypuram Post, East Tambaram,
Chennai -59.

Respondent(s)

PRAYER

To set aside the docket order dt. 03.03.2026 passed by the learned Judicial Magistrate No.1, Chengalpattu returning the petition filed under section 497 BNSS in C.C.No. 7/2015 and consequently direct the learned Magistrate to take the said petition on file and dispose of the same on merits and thus render justice.

For Petitioner(s): Ms.C.Anju Kavar
for Mr.M.Vimal Bobby Crimson

For Respondent(s): Mr.Lenoard Arul Joseph Selvam
Additional Public Prosecutor



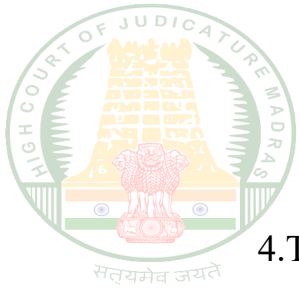
ORDER

The petitioner is the complainant, who had lodged a complaint to the respondent police. The respondent police registered a case in crime No.13 of 2010. Thereafter, on conclusion of investigation, charge sheet was filed before the Trial Court in CC.No.7 of 2015.

2.During trial, PW1 to PW31 were examined and Exs.P1 to P45 were marked on the side of the prosecution. Ex.D1 was marked on the side of defence. On the conclusion of the trial, the Trial Court by judgment dated 24.02.2026, had found the accused Anwar RPM Adam guilty and sentenced him to undergo simple imprisonment of two years u/s.419 of IPC, simple imprisonment of one year u/s.465 of IPC, simple imprisonment of two years and fine of Rs.5000/- in default two months simple imprisonment u/s.468 of IPC, simple imprisonment of one year u/s.471 of IPC. Thereafter, the petitioner had filed a petition under Section 497 of BNSS before the Trial Court. The Trial Court had returned the same on 03.03.2026 for the following reason:-

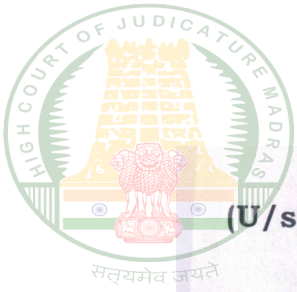
*“Since the appeal period is not over the documents cannot be returned at present.
Hence this petition is returned.”*

3.In view of the above, the present petition has been filed.



4.The learned counsel for the petitioner submitted that in this case, the petitioner earlier submitted the sale deed for registration which was kept pending by the Office of the Sub Registrar, Thiruporur, in Pending Document No.P-224/2009. It has been collected from the Office of the Sub Registrar, Thiruporur, and marked as Ex.P17 in C.C.No.7 of 2015. The petitioner earlier filed Crl.O.P.No.24413 of 2017 before this Court, seeking to return the sale deed dated 27.07.2009 in Pending Document No.224/2009. This Court had dismissed the same for the reason, the trial is in progress and already 10 witnesses have been examined. Now the trial has been completed the hence, filed the present petition.

5.The learned Additional Public Prosecutor had filed status report today and the same is scanned and extracted hereunder:-



**MEMORANDUM OF CRIMINAL ORIGINAL PETITION
(U/s. 528 OF BHARATHIYA NAGARIK SURAKSHA SANTHITA,
2023)**

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

(CrI.O.P.No.6535 of 2026)

A. Radhakrishnan (M/Age -43),
Son of Arumugam
Thiruporur Taluk,
Chengalpattu District.

.... Petitioner

Vs.

State, Represented by
The Inspector of Police,
CBCID, Kancheepuram,
(Crime No.13/2010).

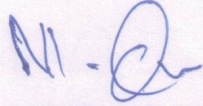
.... Respondent

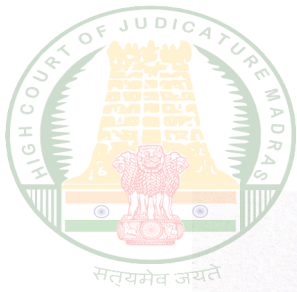
**STATUS REPORT FILED BY THE DEPUTY SUPERINTENDENT
OF POLICE, CRIME BRANCH CID, KANCHEEPURAM RANGE /
RESPONDENT (U/S. 528 OF BNSS)**

I, M. Velmurugan, aged-54, son of V. Murugesan , working as Deputy Superintendent of Police, Crime Branch CID, Kancheepuram Range do hereby solemnly affirm and sincerely stated as follows.

2. It is humbly submitted that I am the present investigating officer of this case as such I am well acquainted with the facts and circumstances of the case.

3. It is humbly submitted that this case was initially registered by the DCB Kancheepuram in Cr.No.13/2010 and transferred to CBCID for further investigation on the order of the


**Deputy Superintendent of Police -
Crime Branch C.I.D.
Kancheepuram.**

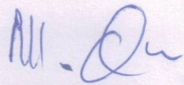


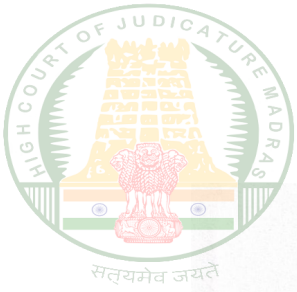
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Hon'ble High Court of Judicature at Madras in Crl.O.P. No.10409/2010 and M.P.No.1/2010 dated 03.07.2012 and Memorandum of DGP,Tamilnadu in C,no.163480/Crime I (2)/12 dated 28.11.2012 and Memorandum of ADGP CBCID, Chennai,32 in Rc No.C5/645/014352/2012 dated 10.09.2012 .

4. It is humbly submitted that investigation of the case disclosed that, this is a case of land fraud involving the creation of fake documents and impersonation to grab the land illegally. This case property vacant land to an extended of 8.57 ½ Acre situated at Thaiyur village Old Mahabalipuram Road in S.No. 1312, 1313/1A, 1313/B, 1313/2A, 1313/2B, 1316/3A1, 1316/3A2, 1316/3B, 1318/1C, 1321/1A2, 1321/1A3, 1321/1A4, 1326/1, 1326/2, 1327/1A, 1327/1B, 1351/1L is owned by Tmt. Bhuvaneswari and Saraladevi. The said owners had executed a power of attorney in favour of Aishwarya, D/o. Shanmugam residing at No. 50, R.A Puram Chennai 18 in Doc. No. 797/1994, dated 26.09.1994 and the same is registered at SRO, Mylapore, Chennai. The said power agent had executed a sale deed dated 27.07.2009 in favour of Mr. Radhakrishnan for consideration of RS 76,00,000/- and the same is submitted for registration before SRO, Thiruporur. The Said document is not registered and it is pending as Doc.No. P224/2009. The said document is not registered as the accused had executed and registered a forged sale deed dated 27.07.2007 in DOC No. 7737/2007 for consideration of Rs.91,50,000/- by using bogus lady for impersonating the real power of agent Aishwarya, D/o. Shanmugam and by furnishing forged election ID No


Deputy Superintendent of Police
Crime Branch C.I.D.
Kancheepuram.

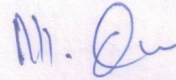


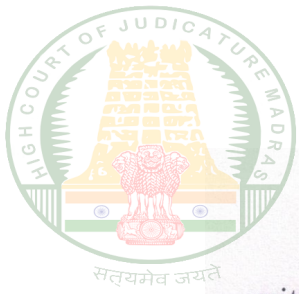
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TN/03/014/0139150 in the address No. 41 Railway border II Road, K.K Nagar, Chennai 78 and by using two fictitious attesting witnesses namely Sekar and Raj. The four cheques mentioned as consideration in the sale deed doc. No. 7737/2007 is encased in the current account of the company owned by accused under the name Elango Power Engineering and consulting Private Limited suite. All the cheques are drawn by accused as self and it was encashed. The accused did not submit original document sale deed Doc. No. 7737/2007 and did not reveal about the person who impersonated original power agent Aishwarya. Due to unavailability of the alleged forged sale deed dated 27.07.2007, the prosecution had sent the finger prints of alleged impersonated Aishwarya in Finger Print Register (Page No. 87) maintained at Sub Registrar Office, Thiruporur to finger print bureau for comparing the same with samples finger prints of real power agent Aishwarya. Since, finger prints in Finger Print Register is merged, it was found to be unfit for comparison.

5. It is submitted that, the Sample finger prints and signatures of real power agent Aishwarya was compared with finger prints of Aishwarya in the pending unregistered sale deed doc. No. P224/2009 and it is found to be same. The photo of Aishwarya (impersonated) in the copy of alleged forged sale deed doc. No. 7737/2007 was sent to TNFSL for comparing the same with the sample photo of real Aishwarya. But the photos of impersonated Aishwarya was not clear and it was unfit for comparison. The sample photos of real Aishwarya was compared


Deputy Superintendent of Police
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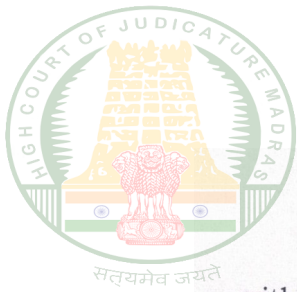
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with the photo of real Aishwarya in the pending sale deed P224/2009 at Sub Registrar Office and it was found to be same. The sample signature of the real owner Aishwarya was also sent for comparison and reports have been received. Based on the above materials, it is alleged by the prosecution that accused has committed offence u/s. 419, 465, 466, 468 and 471 of IPC and final report is filed accordingly. Based on the above final report, this court had taken cognizance in CC.No. 7/2015, Dated: 12.01.2015 and this case final hearing on 16.02.2026. The learned Hon'ble Judicial Magistrate No. 1 Court, Pronounced judgement on 24.02.2026. against the accused Anwar RPM Adam, S/o. Pal Mohamed, No. 125, Sathanandha Bharathi Street, Ganapathipuram Post, East Tambaram, Chennai. That "the accused found guilty u/s. 419, 465, 468, 471 IPC. The accused is sentenced to undergo simple imprisonment of two years u/s. 419 of IPC, Simple imprisonment of one year u/s. 465 of IPC. Simple imprisonment of two years and fine of Rs. 5,000/- in default two months simple imprisonment u/s. 468 of IPC, Simple imprisonment of one year u/s. 471 of IPC. All the above Simple imprisonment shall run in concurrent manner. This court did not extend the benefits of Probation of Offenders Act and Section 360 of CrPC as the alleged offences are serious in nature affecting the public interest".

6. It is most respectfully submitted that, during the course of investigation, the Investigating Officer (IO) filed a request petition before the Hon'ble Trial Court seeking to obtain the original Sale Deed bearing No. P224/2009, which was pending

**Deputy Superintendent of Police
Crime Branch C.I.D.
Kancheepuram.**



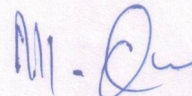
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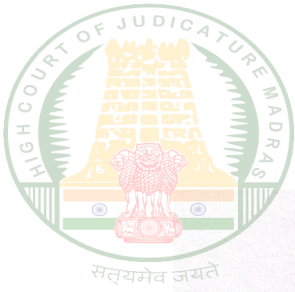
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with the Sub-Registrar, Thiruporur, for the purpose of comparison at the Tamil Nadu Forensic Sciences Laboratory, Chennai. In this regard, the Hon'ble Judicial Court No. I, Chengalpattu, issued a letter to the Sub-Registrar, Thiruporur, vide D.No. 1448/FIR/2013 dated 18.06.2013, requesting the said document. On the same day, the Sub-Registrar, Thiruporur, forwarded the requested documents (comprising 21 sheets) to the Hon'ble Court vide Letter No. R.C.No. 304/2013 dated 18.06.2013. The said documents were received by the Trial Court on 20.06.2013.

7. It is most respectfully submitted that the said document original Sale Deed bearing No. P224/2009 sent to the Tamil Nadu Forensic Sciences Laboratory, Chennai through Hon'ble Trial Court after, comparison the said original sale deed document handed over to the Hon'ble Trial Court, Chengalpattu. During the trial the said original document exhibited (marked as Ex.P17) by PW14 Tr. Anilkumar, Sub Registrar, Thiruporur. Presently the said original document kept at the Hon'ble Judicial Magistrate No - 1 Court, Chengalpattu.

8. It is most respectfully submitted that the petitioner filed a petition before the Hon'ble Judicial Magistrate No. I Court, Chengalpattu, on 27.02.2026, seeking the return of the original document, namely the Sale Deed bearing No. P224/2009. However, as the appeal period has not yet expired, the said document could not be returned at present. Consequently, the Hon'ble Judicial Magistrate No. I returned the petitioner's application on 03.03.2026.


Deputy Superintendent of Police
Crime Branch C.I.D.
Kancheepuram.



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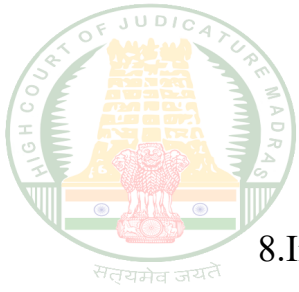
It is humbly prayed that this Hon'ble Court may be pleased to pass the order this petition in the interest of justice.

Solemnly and sincerely affirmed this the 26th day of March 2026, .

Al. R.
Deputy Superintendent of Police
Crime Branch C.I.D.
Kancheepuram.

6.From the report, it is clear that the document of the petitioner in No.P-224/2009 was summoned from the Office of the Sub Registrar, Thiruporur, for the purpose of comparison and the same was sent to the Forensic Laboratory and the report also been received. This document has been marked as Ex.P17. The trial has concluded. There is no confirmation that the petitioner is the person, who had submitted the document and also no objection for the document to be handed over to the petitioner. The only requirement is that the certified copy of the document can be replaced in case it requires for the appeal.

7.Considering the facts and circumstances of the case and submissions made on both sides, it is seen that the trial has been completed, the accused had been convicted, the document has been marked as Ex.P17, forensic report has also been collected, which also forms part of the case documents.



8. In view of the above, there cannot be any objection for returning Ex.P17 to the Office of the Sub Registrar, Thiruporur, for further processing of the document and thereafter, the petitioner can collect it from the Office of the Sub Registrar, Thiruporur.

9. As regards the substitution of the document in Ex.P17 is concerned, there shall be a direction to the Trial Court to substitute Ex.P17 with the certified copy and replace it as Ex.P17. The original of Ex.P17 to be handed over to the Office of the Sub Registrar, Thiruporur, who shall depute a person to collect the same from the Trial Court. The entire process to be completed within a period of two weeks from the date of receipt of a copy of this order.

10. In view of the aforesaid directions, the docket order dated 03.03.2026 passed by the learned Judicial Magistrate No.1, Chengalpattu, is set aside and this petition stands allowed.

26-03-2026

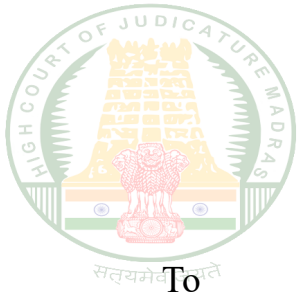
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



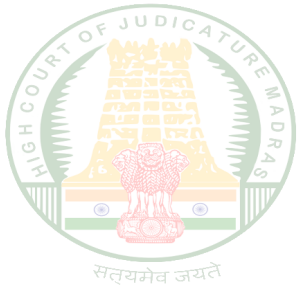
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1.State Rep. by The Inspector of Police
Crime Branch CID, Kanchipuram,
Kancheepuram. Crime No. 13/2010

2.Anwar RPM Adam
S/o.Pal Mohammed, No. 125,
Suthanandha Bharathi Street,
Ganapathypuram Post, East Tambaram,
Chennai -59.

3.The Judicial Magistrate No.1,
Chengalpattu.

4.The Office of the Sub Registrar,
Thiruporur.



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M.NIRMAL KUMAR J.

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26-03-2026