

Crl.OP(MD).No.8664 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

ORDER RESERVED ON : 21.07.2026

ORDER PRONOUNCED ON : 29.07.2026

CORAM

THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.8664 of 2026

and

Crl.M.P(MD)No.9222 of 2026

Most Rev.Dr.Jeevanandam
Bishop of Kumbakonam
S/o.Mr.Amalanathan
Bishop's House, Post Box.No.3
Kamarasar Road, Kumbakonam

...Petitioner/Sole Accused

Vs

1.The State of Tamil Nadu
Represented by the Superintendent of Police
Thanjavur District

2.The Inspector of Police
West Police Station, Kumbakonam
Thanjavur District

...1st & 2nd Respondents/Complainants

3.P.Arul John

...1st Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying that this Hon'ble Court be pleased to call for the records relating to the impugned First Information Report bearing Crime No.0136 of 2026 dated 04.03.2026 on the file of the second respondent police and to quash the same in its entirety.



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For Petitioner	: Mr.Father Xavier Arulraj Senior Counsel M/s.Father Xavier Associates
For Respondents 1& 2	: Mr.G.Ganesh Kumar Government Advocate(crl.side)
For Respondent 3	:Mr.Veera.Kathiravan Senior Counsel for Mr.R.Subramanian

ORDER

The present Criminal Original Petition has been instituted by the sole accused in Crime No.136 of 2026, registered on the file of the second respondent police, seeking the quashal of the First Information Report wherein the petitioner stands accused of the commission of an offence punishable under Section 420 of the Indian Penal Code, 1860 (hereinafter referred to as IPC).

(A).FACTUAL MATRIX:

2. A meticulous perusal of the First Information Report discloses that the de-facto complainant is a member of the Roman Catholic Church and has been acquainted with a clergyman known to him as Father Amirthasamy for a period spanning seventeen years. It is only upon recent inquiry that the de-facto complainant came to the knowledge that the said priest's name in civil records is Jeevanandam.



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3.The complaint further avers that all ecclesiastical records of the Church - including the Ordo, Priests' Profile, and Diocesan Newsletters - invariably reflect the petitioner's name as Amirthasamy alone. It is additionally alleged therein that on 13.01.2024, the petitioner was solemnly ordained as the Bishop of Kumbakonam and assumed charge of the said office on 11.02.2024.

4.The complaint proceeds to allege that upon making inquiries at the educational institutions where the petitioner pursued his studies and the parishes where he served as Pastor, and upon the collation of relevant documents, the de-facto complainant discovered that while the petitioner's baptismal name is Amirthasamy, his name in the school records is entered as Jeevanandam, S/o. Amalanathan, with the date of birth therein recorded as 02.04.1962.

5.The First Information Report further alleges that subsequent to his elevation as Bishop of Kumbakonam, the petitioner fraudulently fabricated the Baptism Certificate and substituted the baptismal name with Jeevanandam - a name not traditionally of Christian origin. It is also alleged that the petitioner altered his date of birth from 02.04.1962 to 20.01.1963, with the active connivance and conspiracy of certain other persons, in order to engineer the fabrication of the said document. The original Baptism Certificate reflected the petitioner's name as Amirthasamy S/o. Amalanathan,



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whereas the purportedly fabricated Baptism Certificate bears the name Jeevanandam S/o. Amalanathan.

6. It is further alleged in the FIR that the Baptism register itself has been falsified and the fabricated version transmitted to the Vatican City. The FIR alleges that these acts of fabrication were perpetrated by the accused with the deliberate and mala fide design to misappropriate and unlawfully seize the properties belonging to the Diocese of Kumbakonam. On the basis of the aforesaid allegations, the FIR was registered on 04.03.2026 under Section 420 IPC, which stands impugned in the present petition.

(B).SUBMISSIONS OF LEARNED COUNSEL:

7.It is the submission of the learned Senior Counsel appearing on behalf of the petitioner that the petitioner's father was a devoted admirer of the late Communist leader Jeevanandam, and accordingly, at the time of the petitioner's Baptism, he endeavoured to have the child baptised under the name Jeevanandam. However, since the said name was not recognised as a name of Christian origin, an objection was raised by the Church, and the petitioner was consequently baptised as Amirthasamy. The learned Senior Counsel further submits that in all secular and official records - including the petitioner's school certificates and passport - the name Jeevanandam alone appears, while the name Amirthasamy was exclusively used in ecclesiastical communications.



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8.The learned Senior Counsel for the petitioner further submits that the petitioner's passport has been issued in the name of Jeevanandam since the year 2001. He further submits that the order of appointment of the petitioner as the new Bishop of Kumbakonam Diocese, issued by the Pope on 13.01.2024, also designates the petitioner exclusively as Jeevanandam S/o. Amalanathan. The learned Senior Counsel additionally brings to the Court's notice that upon this dispute being brought to the attention of the Apostolic authority, a clarificatory letter dated 24.11.2026 was issued, confirming that Jeevanandam Amalanathan, whose name is recorded in the Baptism register as Amirthasamy Amalanathan, is one and the same person.

9.The learned Senior Counsel further submits that the said clarificatory letter explicitly records that the Pope is aware of the discrepancy between the Indian passport and the Baptism Certificate, and that Jeevanandam Amalanathan has been validly and canonically ordained as Bishop of the Diocese of Kumbakonam.

10. According to the learned Senior Counsel, in all secular official records, the petitioner has consistently borne the name Jeevanandam Amalanathan since the issuance of his Secondary School Leaving Certificate (SSLC), whereas the name Amirthasamy has been retained exclusively in ecclesiastical records. In such circumstances, no question of impersonation or forgery whatsoever arises. The learned Senior Counsel additionally submits

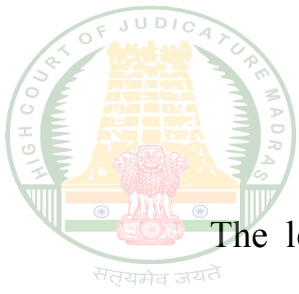


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that the petitioner's parents had preferred an application before the learned Judicial Magistrate, Thiruvaiyaaru, in Crl.O.P. No.4433 of 2003, seeking registration of the petitioner's date of birth, and an order was duly passed thereon on 28.08.2003. Pursuant to the said order, the Tahsildar, Thiruvaiyaaru, issued proceedings on 12.09.2003 directing the registration of the date of birth as 02.04.1962, wherein the petitioner's name is recorded as A. Jeevanandam and his father's name as Amalanathan. It was on the strength of the said birth certificate that an amendment was effected in the Baptism register, incorporating the name Jeevanandam alongside Amirthasamy. Accordingly, no allegation of forgery in the Church records is sustainable.

11.The learned Senior Counsel further submits that the petitioner's Doctorate in Theology was conferred upon him in the year 2007 at Rome, exclusively in the name of Jeevanandam Amalanathan, and that his passport has been periodically renewed, consistently bearing the said name.

12.It is the further contention of the learned Senior Counsel that the discrepancy between the ecclesiastical records and the secular official records cannot, by any stretch of legal reasoning, be construed as an act of impersonation. He further submits that there is no allegation whatsoever that Amirthasamy and Jeevanandam are two distinct individuals, and that the latter is fraudulently impersonating the former. The allegation is confined solely to the discrepancy between the Church records and the official records.



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The learned Senior Counsel further submits that such discrepancy cannot attract the essential ingredients of Section 420 IPC - particularly when the Supreme Pontiff of the Roman Catholic Church has expressly clarified that the said discrepancy is within his knowledge and that Amirthasamy and Jeevanandam refer to one and the same individual.

13. The learned Senior Counsel further urges that the clarificatory letter was issued subsequent to the consecration of the petitioner as Bishop. In such circumstances, the petitioner who is merely a lay member of the Catholic faith cannot be said to have any justiciable grievance in the matter, nor can such a person be construed to be an aggrieved person competent to lodge a police complaint. The learned Senior Counsel therefore, prays for the quashing of the First Information Report in its entirety.

14. Per contra, the learned Senior Counsel appearing for the third respondent / de-facto complainant contends that the name and date of birth as stated in the original Baptism Certificate are materially and completely at variance with those reflected in the present certificate, and that such alterations were effected with the sole and oblique purpose of securing the petitioner's consecration as Bishop of Kumbakonam. He further contends that until the year 2003, the petitioner was exclusively known as Amirthasamy, and only thereafter did he attempt to effect a change of name in official records through an application instituted before the Court by his parents.



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15. According to the learned Senior Counsel for the de-facto complainant, a discreet and confidential inquiry is ordinarily conducted prior to the consecration of any person as Bishop. It is alleged that in order to preempt any adverse findings that might emerge from such an inquiry, the petitioner clandestinely altered his name from Amirthasamy to Jeevanandam by means of fabrication of Church records.

16.The learned Senior Counsel further contends that an application was made before the Headmaster of the relevant educational institution, requesting the furnishing of certain details. The school, in turn, sought the petitioner's consent before furnishing information under the Right to Information Act. Since the petitioner raised an objection, the Headmaster declined to provide the said information. This conduct, according to the learned Senior Counsel, raises grave suspicion and necessitates a thorough investigation.

17.The learned Senior Counsel for the de-facto complainant further submits that the petitioner sought to rely upon an order of the Tahsildar for the purpose of recording his date of birth. When particulars were requisitioned from the Headquarters, Deputy Tahsildar's Office, Thiruvaiyaaru, the said office communicated by its proceedings dated 13.08.2025 that the said records were not available. It is accordingly submitted that the alleged court order, the Tahsildar's proceedings, and the



purported birth registration in the year 2003 are all fabricated documents. On the strength of such fabricated documents, a consequential falsification of records were allegedly carried out, which enabled the petitioner to secure his consecration as Bishop. In such circumstances, unless the investigation is permitted to proceed to its logical conclusion, the true nature and extent of the criminal intent underlying the creation of these fabricated documents cannot be ascertained. The learned Senior Counsel emphasises that the office of Bishop of a Diocese carries with it control over numerous educational institutions, and the properties administered and managed by the Bishop are valued at several crores of rupees. In such circumstances, interdicting the investigative process at the stage of the FIR would be grossly contrary to the interests of justice.

18.The learned Government Advocate (Criminal Side) appearing for the respondent-State submits that the FIR was registered on the basis of the complaint lodged by the de-facto complainant, and that it is only upon the conclusion of the investigation that the veracity or otherwise of the alleged fabrication of documents can be established. In such circumstances, the quashing of the FIR at the present stage would be premature and would impermissibly truncate the investigative process.

19.This Court has heard the learned counsel for all parties at length and has carefully perused the materials on record.



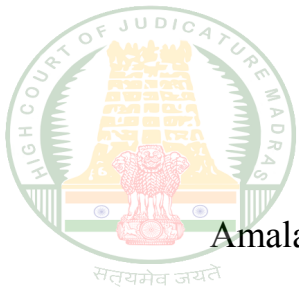
(C).Discussion:

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20. A careful and circumspect examination of the First Information Report reveals that the petitioner's baptismal name, as recorded in the Baptism register, is Amirthasamy Amalanathan. Various ecclesiastical records - including the Priests' Profile and Diocesan Newsletters- also reflect the petitioner's name as Amirthasamy. The petitioner passed the SSLC examination in the year 1978, wherein his name is recorded as Jeevanandam Amalanathan. The passport produced by the petitioner, held since the year 2001, likewise bears the name Jeevanandam Amalanathan.

21.The Doctorate in Theology conferred upon the petitioner from Rome in the year 2007 also reflects the name Jeevanandam Amalanathan, which is in consonance with the passport particulars. The petitioner was consecrated as Bishop of the Diocese by order of the Pope dated 13.01.2024, wherein also the petitioner's name is recorded as Jeevanandam Amalanathan. When this dispute was brought to the notice of the Pope, a clarificatory letter was issued on 27.04.2026, recording that Jeevanandam and Amirthasamy refer to one and the same person, and that the Pope is cognisant of such discrepancy.

22. In the aforesaid clarificatory letter, the Pope has also recorded that the name of the petitioner as found in his Indian passport has been retained in the official records. It has further been clarified that Jeevanandam



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Amalanathan has been validly and canonically ordained as Bishop of the Diocese of Kumbakonam.

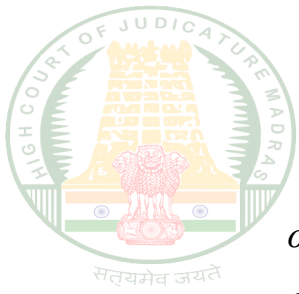
23. It is manifest from the foregoing deliberations that the petitioner retained the name Amirthasamy (his baptismal name) in all internal ecclesiastical communications, while the civil name Jeevanandam is consistently reflected in his school records, passport, Doctorate degree, and in the very order of his consecration as Bishop issued by the Pope.

24. The core question that arises for adjudication in the present proceedings is whether the use of the civil name in lieu of the baptismal name in the order of consecration of the Bishop attracts the essential ingredients of Section 420 IPC.

25. The Hon'ble Supreme Court of India, in the judgment reported as ***(2016) 1 SCC 348 (International Advanced Research Centre for Powder Metallurgy and New Materials (ARCI) and others v. Nimra Cerglass Technics Private Limited and another)***, has, in paragraphs 15 and 16 thereof, elucidated the law as follows:

“ 15. The essential ingredients to attract Section 420 IPC are:

(i) cheating; (ii) dishonest inducement to deliver property or to make, alter or destroy any valuable security or anything which is sealed or signed or is capable of being converted into a valuable security; and (iii) mens rea of the accused at the time of making the inducement. The making of a false representation is



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one of the essential ingredients to constitute the offence of cheating under Section 420 IPC. In order to bring a case for the offence of cheating, it is not merely sufficient to prove that a false representation had been made, but it is further necessary to prove that the representation was false to the knowledge of the accused and was made in order to deceive the complainant.

16. The distinction between a mere breach of contract and cheating would depend upon the intention of the accused at the time of the alleged inducement. If it is established that the intention of the accused was dishonest at the very time when he made a promise and entered into a transaction with the complainant to part with his property or money, then the liability is criminal and the accused is guilty of the offence of cheating. On the other hand, if all that is established is that a representation made by the accused has subsequently not been kept, criminal liability cannot be foisted on the accused and the only right which the complainant acquires is the remedy for breach of contract in a civil court. Mere breach of contract cannot give rise to criminal prosecution for cheating unless fraudulent or dishonest intention is shown at the beginning of the transaction.”

26. A careful reading of the aforesaid pronouncement of the Hon'ble Supreme Court makes it abundantly clear that for the essential ingredients of Section 420 IPC to be attracted, there must be: (a) a dishonest inducement to deliver property or valuable security; (b) mens rea on the part of the accused at the time of making such inducement; and (c) the inducement must have



been made with the deliberate intent to deceive the complainant.

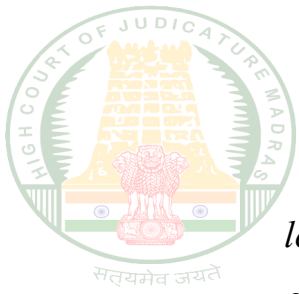
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27. In the present case, the discrepancy between the Church records and the secular official records has subsisted since the petitioner's childhood. While the ecclesiastical records reflect the petitioner's name as Amirthasamy, the school records have consistently borne the name Jeevanandam. It is therefore manifest that the name Jeevanandam did not emerge for the first time in the year 2003, when the petitioner's parents approached the criminal court for the registration of his date of birth.

28. The learned Senior Counsel for the de-facto complainant has contended that the records of the Tahsildar's Office pertaining to the registration of the petitioner's date of birth are not traceable in that office, and therefore the said document must be treated as fabricated. This Court considers it appropriate to examine the legal position in this regard.

29. The Hon'ble Supreme Court, in the judgment reported as **2026 SCC Online 309 (Vandana Jain and others v. State of Uttar Pradesh and others)**, has, in paragraph 24 thereof, held as follows:

“24. In our view, merely because a document is not traceable in the records after several years of its issuance, it cannot be said that the document is forged. It is a matter of common knowledge that certificates/letters, such as the one in question, are not maintained in perpetuity. Therefore, if, after 10 or 11 years, merely because the office reports that such



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letter/certificate is not traceable in the records of the office, it cannot be said that it is forged. A document would be considered a forged document only when the allegations are to the effect that it is a false document within the meaning of Section 464 of the IPC. There appear to be no allegations that the title documents submitted by the accused were forged. In such circumstances, the allegation that false documents have been submitted is baseless.”

30. Applying the aforesaid ratio decidendi to the facts of the present case, the mere non-traceability of a particular document in the Tahsildar's office after the lapse of twenty-two years cannot, ipso facto, render the same as a fabricated or forged document.

31. It is true that the date of birth recorded in the Baptism Certificate (20.01.1963) differs from that recorded in the birth certificate (02.04.1962). However, such a discrepancy in the date of birth, without any evidence of governmental service where age has material legal consequences, would not, in the ordinary course, carry any legal significance.

32. Though the FIR contains broad and sweeping allegations that the petitioner intends to misappropriate the properties of the Diocese and to exercise control over the administration and management of several aided educational institutions, these allegations are founded entirely upon the presumption that the petitioner fabricated Church records to secure his consecration as Bishop. No specific instance of wrongful acquisition or



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mal-administration of Church property has been set out in the FIR.

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33. It bears emphasis that the complainant's case is not premised upon an allegation that Amirthasamy and Jeevanandam are two wholly distinct individuals and that the petitioner (Jeevanandam) is fraudulently personating the former in order to secure consecration as Bishop. This is, therefore, not a case of impersonation in any legal sense. The sole allegation is that there exists a discrepancy between the Church records and the secular official records - namely the school records and the passport.

34. The allegation is that the Baptism Certificate is a fabricated document, and that on the strength of this fabricated document, the petitioner was consecrated as Bishop of the Diocese of Kumbakonam. In this connection, it is relevant to note that a birth certificate was duly issued in the year 2003 pursuant to the Tahsildar's proceedings, and on the strength of that birth certificate, the name Jeevanandam was incorporated by way of amendment in the Baptism register. This incorporation, in law, cannot render the Baptism Certificate a fabricated document. Furthermore, the very order of appointment of the petitioner as Bishop, issued by the Pope, reflects the petitioner's name as Jeevanandam alone. In such circumstances, it defies logic and legal reason to contend that the amendment to the Baptism Certificate was made with the intent to facilitate the petitioner's consecration as Bishop. Most significantly, after the discrepancy was brought to the



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attention of the Pope, his office has issued a clarificatory letter on 27.04.2026, expressly affirming that they are cognisant of the discrepancy, that Jeevanandam and Amirthasamy refer to one and the same person, and that in the order of consecration, the name as found in the Indian passport was adopted. The said letter has further unequivocally affirmed that the petitioner has been validly and canonically ordained as Bishop of the Diocese. In such circumstances, it is beyond comprehension how the de-facto complainant could claim to be aggrieved by the discrepancy between the Church records and the secular official records.

35.The allegation of cheating under Section 420 IPC is wholly unsustainable inasmuch as the very order of consecration of the petitioner as Bishop reflects the name Jeevanandam, consistent with the secular official records. Merely because the Baptism Certificate varies from the secular official records, the same cannot be treated as a fabricated document or be construed to establish that the petitioner has indulged in cheating.

36. As per the ratio decidendi enunciated by the Hon'ble Supreme Court in **(2016) 1 SCC 348** (extracted supra), Section 420 IPC can be attracted only if the false representation was made with the deliberate purpose of deceiving the complainant. In the present case, the de-facto complainant has not averred anywhere in the complaint that he was personally deceived by reason of the discrepancy between the Church records and the secular



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official records.

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37. In view of the aforesaid analysis, since the essential ingredients of Section 420 IPC are manifestly not attracted on the facts of the present case, the continuation of the criminal proceedings against the petitioner would constitute a clear and unconscionable abuse of the process of law.

(D).CONCLUSION:

38. In view of the foregoing deliberations, this Court holds and directs as follows:

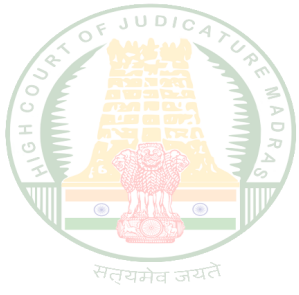
(i) The First Information Report in Crime No.0136 of 2026, registered on the file of the second respondent police, stands quashed.

(ii) This Criminal Original Petition is accordingly allowed.

Consequently, connected Criminal Miscellaneous Petition is closed.

29.07.2026.

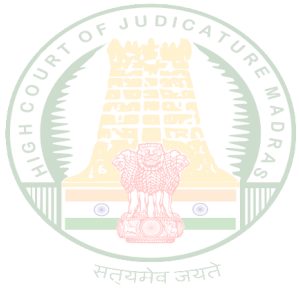
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- 1.The Superintendent of Police
Thanjavur District
- 2.The Inspector of Police
West Police Station
Kumbakonam
Thanjavur District
- 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai



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R.VIJAYAKUMAR, J.

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