

(2025) 11 MAD CK 0030

Madras HC

Case No: Criminal Original Petition (MD) No. 16570 Of 2025

Catherine Inbamalar
And Others

APPELLANT

Vs

State Of Tamil Nadu
And Others

RESPONDENT

Date of Decision: Nov. 14, 2025

Acts Referred:

- Indian Penal Code, 1860-Section 34, 109, 120(B), 420, 467, 468, 471

Hon'ble Judges: Sunder Mohan, J

Bench: Single Bench

Advocate: R.Anand, R.Meenakshi Sundaram

Judgement

Sunder Mohan, J

1. This petition has been filed to quash the impugned final report in C.C.No. 2499 of 2025 pending on the file of the Learned Judicial Magistrate No.II, Tirunelveli, for the offences punishable under Sections 420, 467, 468, 471, 34, 120(B) and 109 of IPC, as against the petitioners.

2. The gist of allegations in the final report is that the first accused, who was appointed as an Official Liquidator of the Society, had inducted several persons as members of the Society by falsely stating that they were employed in the Tamil Nadu Electricity Board and therefore were members of the Tamil Nadu Electricity Board Employees Housing Board Society; that the first accused had executed sale deeds in their favour and misappropriated the sale consideration.

3. The learned counsel for the petitioners would submit that the petitioners, who are wife and husband, had purchased two plots of land; that the allegation against the petitioners is that they knew that they were not members of the Society and had signed the sale deed, in which, it is stated that they were members of the Society and purchased the land. He would further submit that the first petitioner had executed cancellation of the sale deed to show her bonafides pursuant to the conditional order passed by this Court in CrI.O.P. (MD).No.7980 of 2024 dated 15.07.2024; and that the second petitioner is also willing to cancel the sale deed in his favour to show his bonafides.

4. This Court is of the view that though there is an allegation against the petitioners that they had knowingly purchased the property of the Society though they are not members of the Society,

there is no allegation that they had gained wrongfully in the transaction. The first petitioner has already executed the cancellation deed. The second petitioner is also now willing to cancel the sale deed.

5. Considering the above facts, this Court permits the second petitioner to cancel the sale deed in his favour. The second respondent shall co-operate for the said cancellation. The Sub Registrar, Thoothukudi Melur is directed to accept the cancellation of sale deed in favour of the second petitioner, which was registered as document bearing No.2696/2020 on the file of the said Sub Registrar. The second petitioner shall inform the second respondent two days in advance, the date on which he proposes to cancel the sale deed.

6. Post the matter on 24.11.2025 under the caption "for orders".