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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-10-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP Crl. No. 2577 of 2026
CNR:{HCMA012325082026}
and
WPMP CRL. No. 952 of 2026

Case QR

G.Gopi Narayanan
S/o. Gajaraj Mudaliar,
No.R-9, 3rd Main Road,
Shanthi Colony,
Anna Nagar,
Chennai

..Petitioner(s)

Vs

1. Superintendent of Police
   Office of Superintendent of Police
   (District Headquarters)
   District Police Office Building,
   Behind Collector Office,
   Sathuvacheri.
   Vellore
2. The Deputy Superintendent of Police
   Office of Superintendent of Police,
   (District Headquarters)
   District Police Office Building,
   Behind Collector Office,
   Sathuvacheri,
   Vellore

3. The Sub Inspector of Police
   Office of Superintendent of Police
   (District Headquarters)
   District Police Office Building,
   Behind Collector Office,
   Sathuvacheri,
   Vellore

4. Paranjothi Samy
   Door No.28, Lakshmi Mudhali Street,

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Case Citation: (2026) ibclaw.in 6007 HC

Order QR

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Sainathapuram
Vellore

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the summons dated 21.09.2026 issued by the 3rd Respondent, namely the Sub Inspector of Police, District Crime Branch, Vellore, in connection with the complaint preferred by the 4th Respondent, quash the same as being illegal, arbitrary and without jurisdiction, and consequently, direct the Respondents 1 to 3 not to interfere with the civil dispute between the Petitioner and the 4th Respondent arising out of the agreement for sale dated 07.01.2025 and the related transactions between the parties, except by following the due process of law and in accordance with the procedure established by law.

For Petitioner(s): Mr.B.Krishnan
For Respondent(s): Mr.S.Yogaraja Sekar
Counsel for Government of Tamil Nadu
(Criminal Side) for R1 to R3
Mr.E.Kannadasan for R4

ORDER

The cause for filing the present writ petition is that the police are investigating into the grievance expressed by the 4th respondent with regards to the agreement entered into between him and the writ petitioner. The agreement was entered into on 07.01.2025, and a police complaint was lodged by the 4th respondent, pursuant to which, the impugned summons came to be issued.

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2.The facts leading to the writ petition are extremely simple. Property belongs to the writ petitioner. The 4th respondent proposed to purchase it. It was agreed between the parties that the petitioner will alienate the property in favour of the 4th respondent upon payment of Rs.7.21 crores. Out of the said amount, the 4th respondent has paid the petitioner, a sum of Rs.3.50 crores.

3.It is the case of the 4th respondent that the petitioner was attempting to resile from the agreement. It is the case of the writ petitioner that he is not to blame, but it is the 4th respondent. He also states that out of the sum of Rs.3.50 crores received by him as advance, he had transferred Rs.50,00,000/- in favour of Mrs.Vijaya Paranjothi , the wife of the 4th respondent. The 4th respondent, being aggrieved by the manner in which the writ petition was allegedly dilly-dallying with the matter, he lodged a complaint with the respondents 1 to 3. Pursuant to this complaint, summons were issued by the third respondent to the writ petitioner, calling upon him to appear before them for enquiry on 26.09.2026.

4.When the matter was taken up for admission, Mr.Krishnan, learned counsel appearing for the petitioner, reported that the writ petitioner is willing to repay the entire amount that he had received from the 4th respondent. Mr.Kannadasan, learned counsel appearing for the 4th respondent, reported that it has been the intention of the petitioner to cheat the 4th respondent from the

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very beginning and it was not a civil dispute, as sought to be projected by Mr.Krishnan. Mr.Yogaraja Sekar, learned Counsel for the Government of Tamil Nadu (Criminal Side), reported that the police have only issued summons for the purpose of enquiry and that, if upon enquiry, they found that there is a civil dispute, they would not interfere.

5.In order to avoid further complications, Mr.Krishnan offered that the petitioner would repay the entire amount received from the 4th respondent, less the amount already paid, within a period of three months. In order to prove his bonafide, he assured this Court that he will hand over a demand draft for a sum of Rs.1,00,00, 000/-. Mr.Kannadasan was not willing to receive the said amount and he wanted to prosecute the petitioner for the alleged acts of deceit.

6.When the matter was taken up today, Mr.Krishnan filed an affidavit of undertaking and the same is extracted hereunder:

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MEMORANDUM OF WRIT PETITION
UNDER ARTICLE 226 PF THE CONSTITUTION OF INDIA
IN THE HIGH COURT OF JUDICATURE AT MADRAS

W.P.Crl.No.2577 of 2026

Mr.G.Gopi Narayanan,
Son of Mr.Gajaraj,
No.R-91, 3rd Main Road,
Shanthi Colony,
Anna Nagar,
Chennai – 600 040.

...Petitioner

Vs

Superintendent of Police
(office of the Superintendent of Police)
District Police office building,
Sathuvacheri, Vellore – 632009 & 3 Others

... Respondents

AFFIDAVIT FILE BY G.GOPINARAYANAN

I, G.Gopi Narayanan, S/o.Mr.Gajaraj, aged about 57 years, residing at No.R-91, 3rd Main Road, Shanthi Colony, Anna Nagar, Chennai – 600 040., the Petitioner herein, do hereby solemnly affirm and sincerely state as follows:

1. I am the Petitioner in the above Writ Petition and I am well acquainted with the facts and circumstances of the case and hence competent to swear to this affidavit.

2. I humbly submit that I had entered into a Sale Agreement with the 4th respondent herein, in respect of my property and, pursuant thereto, received a total sum of Rs.3,50,00,000/- (Rupees Three Crores and Fifty Lakhs only).

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3. I submit that upon receipt of the aforesaid advance sale consideration of Rs.3,50,00,000/- (Rupees Three Crores and Fifty Lakhs only) as various time I had handed over to the respondent the original title deeds bearing Document Nos.2547/2011, 9291/2010 and 14699/2013, as security and in furtherance of the Sale Agreement entered into between the parties and upon repayment and realization of the entire amount of Rs.3,50,00,000/- (Rupees Three Crores and Fifty Lakhs only) by me, I shall be entitled to receive back the original title documents pertaining to Document Nos.2547/2011, 9291/2010 and 14699/2013 from the respondent, who is presently in custody thereof and other connected materials.

4. I submit that when the above Writ Petition was taken up for hearing on 28.09.2026, I voluntarily expressed my willingness to settle the matter by repaying the entire sum of Rs.3,50,00,000/- (Rupees Three Crores and Fifty Lakhs only) received by me under the Sale Agreement, with a view to amicably resolving the dispute and bringing the matter to a quietus.

5. I submit that towards repayment of the aforesaid amount of Rs.3,50,00,000/- (Rupees Three Crores and Fifty Lakhs only), a sum of Rs.50,00,000/- (Rupees Fifty Lakhs only) has already been paid on 18.11.2025 through online transfer to the bank account of Mrs. S. Paranjothi and the said payment has been duly received and acknowledged.

6. I further submit that towards the balance settlement amount, I have issued and handed over the following instruments:

a) Demand Draft No.844836 dated 31.08.2026 drawn on Canara Bank, Anna Nagar Branch for Rs.75,00,000/-;

b) Demand Draft No.844847 dated 03.09.2026 drawn on Canara Bank, Anna Nagar Branch for Rs.25,00,000/-;

c) Cheque No.504870 dated 25.10.2026 drawn on Canara Bank, Anna Nagar Branch for Rs.1,00,00,000/-;

d) Cheque No.504872 dated 25.11.2026 drawn on Canara Bank, Anna Nagar Branch for Rs.1,00,00,000/-.

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7. I submit that the sum of Rs.50,00,000/- (Rupees Fifty Lakhs only) already paid by me, together with the Demand Drafts and Cheques furnished as stated above, aggregates to a total sum of Rs.3,50,00,000/- (Rupees Three Crores and Fifty Lakhs only), representing the entire amount payable by me under the Sale Agreement and in full settlement of all claims arising therefrom.

8. I hereby undertake before this Hon'ble Court that the Cheque Nos.504870 and 504872 issued by me towards the settlement amount shall be honoured on presentation and that I shall maintain sufficient funds in the concerned bank account to ensure their due realization on the respective dates of presentation.

It is therefore prayed that this Hon'ble Court may be pleased to record the above undertaking and settlement terms, dispose of the above Writ Petition in terms thereof, and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

Solemnly affirm at Chennai
on this the 29th day of September 2026

DEPONENT

B. Chandrasekaran
MS111/2007
B. Chandrasekaran
No-247 New Mint Law Chamber-103h courts Building
Chennai-600001
Before me
Advocate – Chennai

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Mr.Krisnnan has handed over a demand draft for a sum of Rs.1,00,00,000/- and a cheque for the balance sum of Rs.2,00,00,000/-. The same has been received by Mr.Kannadasan, on the instructions of the 4th respondent who is present in the Court.

7.The undertaking is recorded. In the event that the undertaking is not complied with by Mr.Krishnan's client or if there is any violation of the undertaking, it is open to Mr.Kannadasan to initiate contempt proceedings, which will be without prejudice to his right to initiate proceedings under Section 138 of Negotiable Instruments Act, in the event that the cheque is dishonoured. Whether the 4th respondent is entitled to for interest, or whether the petitioner is entitled to the return of the parent documents from the 4th respondent, will have to be considered separately.

8. This Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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1. Superintendent of Police
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   (district headquarters)
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   Sathuvacheri,
   Vellore
4. The Public Prosecutor
   High Court of Madras.

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V.LAKSHMINARAYANAN J.

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