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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.4.2025.

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THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.M.P.No.1322 of 2024
and
Crl.O.P.No.7699 of 2023

V.Kanagaraj

Petitioner

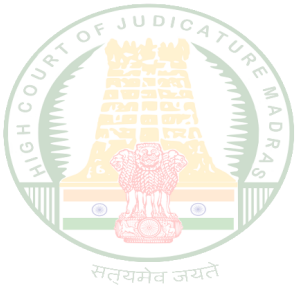
vs.

1. Inspector of Police,
Nolambur Police Station,
(Crime No.426 of 2022)
2. V.R.Ramalingam,
S/o.Ramanathan,
Arinaa Service Apartments,
Plot No.127/1,
Thiruveethiamman Kovil Street,
Koyambedu,
Chennai 600 107.
3. The Director General of Police,
Tamil Nadu State Police,
Chennai.
(R3 suo motu impleaded vide order
dated 27.3.2024)

Respondents

Criminal Miscellaneous Petition filed under Section 439(2) of Cr.P.C. seeking to cancel the bail granted in Crl.O.P.No.7699 of 2023 by this court on 13.4.2023.

For Petitioner : Mr.G.Gokul



For R1 & R3 : Mr.S.Santhosh,
Government Advocate (Crl. Side)
For R2 : Mr.Muthaizh Selvakumar

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ORDER

The present criminal miscellaneous petition seeking to cancel the bail granted by this court by order dated 13.4.2023 in Crl.O.P.No.7699 of 2023, having been allowed by this court by order dated 13.6.2024, stands listed today at the instance of the learned Government Advocate (Criminal Side) for reporting compliance of the earlier order dated 27.3.2024 passed by this court.

2. The allegation against the accused/second respondent herein is that having taken the house property of the de facto complainant/petitioner herein for lease, had let the same to third parties on usufructuary mortgage without the authority of the de facto complainant and thereby cheated him, however, for getting bail, he had posed himself as a genuine businessman, lawfully entitled to sub let the premises and only due to the financial dispute he had with the persons who took the property on sub lease, he could not pay the de facto complainant and assured that he would settle the payment to the de facto complainant by selling his family properties.



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3. Whiles, the present petition was filed by the de facto complainant and during the hearing of the same, it was brought to the notice of this court that the accused/second respondent herein, having misrepresented this court by way of an undertaking to settle the issue for securing bail order, had failed to comply with the same.

4. The attitude of the accused/second respondent herein having raised some suspicion, this court had directed for further probing into the case and from the status report dated 9.2.2024 filed by the investigating agency, it was, incidentally, found that organized crimes of similar in nature are being committed in many Districts targeting many gullible victims due to lack of awareness about such scams.

5. In the circumstances, this court, by order dated 27.3.2024, directed the Director General of Police, Tamil Nadu State Police to take adequate steps to prevent the offences of similar nature.

6. Pursuant to the same, the learned Government Advocate has produced a Circular Memorandum issued by the Director General of



Police, HoPF, Tamilnadu in Rc.No.7166237/Crime-1(1)/2024 dated 27.7.2024, in compliance of the order passed by this court, the contents of which are reproduced hereunder for ready reference:-

"Attention of all Commissioners of Police in Cities and Superintendents of Police in Districts is invited to the reference cited above.

2. The Hon'ble High Court of Madras, while disposing the cancellation of bail petition in CrI.O.P.No.7699 of 2023 has observed that the Government should make campaign in all media so that the public at large would be made aware on the modus operandi of the accused who take possession of properties from house owners in the guise of lease and later sublease the property to third parties without the knowledge or consent of the owners and project the case as if it is civil in nature and attempt to escape from the clutches of Criminal law.

3. The accused persons in the pretext of a tenant, take properties from the owners under a lease agreement and later let it out to third parties without



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the knowledge of the owner after receiving huge amount and thereby cheat the owners of the properties.

4. These types of offences are noted to be in the rise. The data reveal that 40 cases are pending in Chennai where 67 victims are affected, 342 victims are affected in Tambaram, 20 victims are affected in Avadi and there are many cases pending before the Economic Offences Wing wherein 1020 victims are affected. In all, the amount cheated comes to nearly 65 Crores and it can be seen that these cases are pending from the year 2013. This scam which had originated from Chennai has now started to spread over other Districts also.

5. Since, the accused in most of cases attempt to give a Civil colour to these cases, there has been an inordinate delay in filing final reports. In order to curb these offences and in order to create an awareness about this scam, the following instructions are issued:-

(i) The complaints received in the police station given by house owners alleging that the tenant had handed over the property to third parties without their



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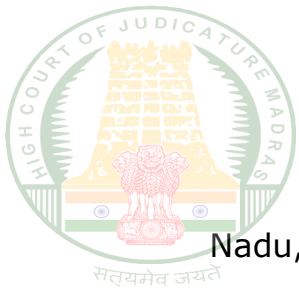
knowledge/consent should be strictly construed as a criminal offence and First Information Report (FIR) should be registered for appropriate sections immediately.

(ii) Utmost priority should be given in securing the accused and completion of investigation.

(iii) The Deputy Commissioner of Price in cities and the Superintendent of Police in Districts are directed to monitor the investigation of these cases and also directed to conduct a quarterly review meeting to review about the progress of the investigation.

(iv) All the unit officers are directed to sensitize the people by posting awareness videos in the official social media pages and to make campaign videos through the regular media in order to prevent similar nature of offences in the future. It is requested to send the quarterly periodical report at Chief Office AIG(L&O) Camp mail ID tnaiglo@gmail .com. "

7. The learned Government Advocate has also filed compliance report filed on behalf of the Director General of Police & HoFF, Tamil



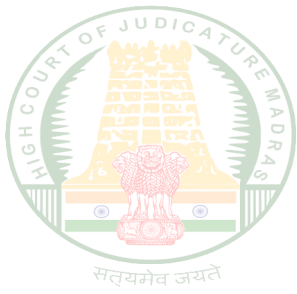
Nadu, relevant portion of which is also reproduced hereunder:-

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"I, Deshmukh Shekhar Sanjay, IPS., son of Tr.Sanjay, aged about 38 years and now serving as Assistant Inspector General of Police, High Court Cases Monitoring Cell, as a staff officer at the office of the Director General of Police, Tamil Nadu, Dr.Radhakrishnan Salai, Mylapore, Chennai 600004 filing this Compliance Report on behalf of the Director General of Police, Head of the Police Force, Tamil Nadu.

2. It is respectfully submitted that this Hon'ble Court by way of its order dated 27.03.2024 was pleased to implead the Director General of Police, Tamil Nadu State Police to this case and was Pleased to observe that it is high time that the public at large should be made aware of the Modus Operandi of the accused who take possession of properties from house owners in the guise of tenant and later sublease the property to third parties and project the case as if it is civil in nature and attempt to escape from the clutches of penal law.

3. It is respectfully submitted that this Hon'ble



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Court was pleased to direct the Director General of Police, to take adequate steps to prevent this type of offences.

4. It is respectfully submitted that based on the orders of the Hon'ble Court, a Circular in Rc.No. 7166237/Crime-1(1)/2024 was issued by the Director General of Police & Head of Police Force, Tamil Nadu on 27.07.2024. The Circular has elaborated on the orders of the Hon'ble Court and has directed the Unit Officers to senitize the people about the scam done in the name of House Owners. They have also been directed to post awareness video in official social media pages in order to prevent similar offences in future. The copy of the Circular dated 27.07.2024 is enclosed herewith for Hon'ble Court kind perusal.

5. It is further submitted that, the following officers have been directed to monitor the investigation of the cases registered for the offences of this nature.

Units	Rank	Branch
Greater Chennai Police	Dy. Commissioner of Police (DCP-1)	Central Crime Branch

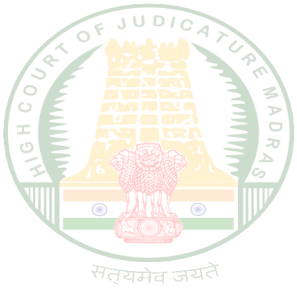


Units	Rank	Branch
Avadi & Tambaram City	Dy. Commissioner of Police	Central Crime Branch
Other Cities	Dy. Commissioner of Police	Headquarters
District	Superintendent of Police	District SP

6. They are also directed to conduct a quarterly review about the progress in the investigation of these cases and they have been directed to send the quarterly reports to Chief Office.

7. It is further submitted that, apart from monitoring the investigation and conducting quarterly review, the unit officers have been directed to create awareness on these type of offences, among the common people, College students by addressing them with the latest emerging trends in crime which are happening in the society.

8. It is respectfully submitted that, law officer from the office of the State Public Prosecutor in the High Court of Madras vide letter dated 01.04.2024 had suggested the following to ensure proper compliance of



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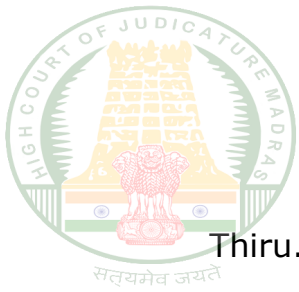
direction of the Hon'ble Court.

- To direct a Senior IPS officer who has good communication skills to shoot an awareness video (both in Tamil and English) so that the same can be widely publicized in social media and in other public platforms.

9. It is respectfully submitted that the Superintendent of Police/Non-Resident Indian Cell, Office of the Director General of Police, Tamil Nadu has created an awareness video in this regard using the services of Vishalakshi Movies. Tr.K.Shankar I.P.S., Commissioner of Police, Avadi Police Commissionerate has featured in the video to give awareness message.

10. In these circumstances, it is humbly prayed that this Hon'ble court may be pleased to accept this compliance report and pass orders as deemed fit and proper in the facts and circumstance of this case and thus render justice."

8. By producing a short video giving alert message to the society, the learned Government Advocate would submit that



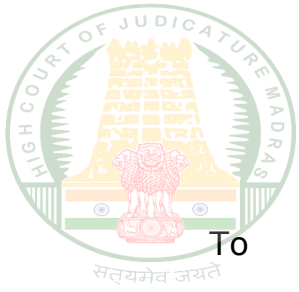
Thiru.K.Shankar, IPS, Commissioner of Police, Avadi Commissionerate has created such an awareness video giving an alert message on the scams being played.

9. While accepting the compliance report and giving closure to the issue, this court appreciates the concerted efforts taken by Mr.Hasan Mohammed Jinnah, learned State Public Prosecutor and his team, Mr.Shankar Jiwal, Director General of Police, HoPF and the work done by Mr.K.Shankar, Commissioner of Police, Avadi Commissionerate, Chennai.

10. Further, this court feels that in the interest of public, the video clip containing the alert message has to reach the entire public in order to deter them from falling prey in the hands of fraudulent persons in future and thereby it has to be widely circulated and flashed in the new channels and social media.

22.4.2025.

Index: Yes/No.
Internet: Yes/No.
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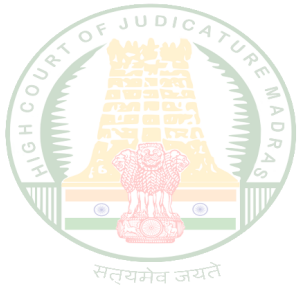
To

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1. The Director General of Police,
Tamil Nadu State Police,
Chennai.
2. Inspector of Police,
Nolambur Police Station.

Note to office:-

**Issue a copy to the Press Room
forthwith for giving wide publicity
about the video clip and telecasting
the same in TV channels and
social media.**



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A.D.JAGADISH CHANDIRA, J.

Ssk.

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Crl.O.P.No.7699 of 2023

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