

IN THE COURT OF THE JUDICIAL MAGISTRATE NO.VII, COIMBATORE.

Present: Thiru. K. Indhirajith,B.A.,M.L.,

Judicial Magistrate No. VII,

Coimbatore.

Thursday the 19th day of June 2025

CRLMP.No: 6444/2025

Cr.No.51/2023

Tr. Selvakumar S/o Ponnusamy

... Petitioner

/Vs/

Submitted to..

The Inspector of police,

City Crime Branch PS,

Cr.No.51/2023,

Coimbatore.

... Respondent

ORDER

Enquiry heard, on this objection petition. On enquiry and on perusal of this objection petition and final report in Crime no. 51/2023 and other connected documents. The de-facto complainant had filed a complaint before the police against the ousting of the de-facto complainant from the Aadhithya Auto Stores Company in unlawful manner by fabricating forged documents, and as consequence of which unlawful gain has been caused to the accused persons and unlawful loss has been caused to the de-facto complainant. Upon the complaint, the FIR in Crime no. 51/2023 has been filed. The accused persons has said to have filed their statement stating that de-facto complaint and A1 in this case were brothers. Tmt. Karthika is the wife of de-facto complainant. A2 is the wife of A1. One Ponnusamy is the father of de-facto complainant and A1. The said Ponnusamy, the de-facto complainant, wife of de-facto complainant, A1 and A2 had jointly entered into partnership through the partnership deed dated 01.04.2004 . They owned four companies/body corporates namely 1. Aadhithya Global Trading company, 2. Aadhithya Auto Mobiles Spares Pvt Ltd, 3. Rajkrishna Aadhithya Auto Stores Pvt Ltd and 4. Aadhithya Auto

stores and managed all the said body corporates jointly. Later on i.e. 02.02.2015 all the said five persons entered into the MOU dated 02.02.2015 and Admission Cum Retirement deed dated 02.02.2015, whereunder said Ponnusamy, de-facto complainant and his wife namely said Karthika has been said to have allotted with said 1st, 2nd and 3rd entities, and the accused persons in Cr no. 51/2023 were allotted with said Aadhithya Auto Store (i.e. in which de-facto complainant and his wife stating that they have been ousted through fabricating false/forged documents) and the right, title and interest of said Ponnusamy, de-facto complainant and his wife Karthika has been extinguished regarding with Aadhithya Auto Stores. Therefore, the said MOU and Admission cum Retirement deed both dated 02.02.2015 has been referred for expert opinion, to ascertain whether signature of the said Karthi is forged or not. The admitted signature of said Tmt. Karthika at said contemporaneous period of time has been forwarded to forensic lab for expert opinion, to compare the same with said two documents containing disputed signature. The report of said forensic department dated 10.12.2024 has been submitted in said Cr no. 51/2023 stating that the disputed signature of said Karthika in said material documents 1. Partnership deed dated 01.04.2004 and 2. MOU dated 02.02.2015 and 3. Admission Cum Retirement deed dated 02.02.2015 were similar with that of the admitted signature of said S. Karthika on contemporaneous period of time. Considering the facts and circumstances, this court come to the culmination that the continuation of the criminal proceeding is no longer necessary. In other words, the continuation of this criminal proceedings will lead to wasting of judicial time in vexatious case, as there is no sufficient grounds for proceedings. Hence this court is inclined to dismiss this objection petition as devoid of merits in the interest of justice, equity and good conscience.

Dictated to the Typist and typed by her, corrected and pronounced me on Open Court on this day of 19th day of June 2025.

(Sd/-K. Indhirajith)
Judicial Magistrate VII,
Coimbatore.