



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

CORAM

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**CRL OP No. 17013 of 2026
and Crl.M.P.Nos.11290 & 11291 of 2026**

C.Vimaladevi
W/o.Suresh,
No.41,Nethaji Nagar,
Manickampalayam,
Erode.

..Petitioner(s)

Vs.

1. The State of Tamilnadu Rep by
The Inspector of Police
District Crime Branch,
Erode,
Erode District.
2. K.Nandhagopal
Executive Engineer and Administrative Officer,
Erode Housing Unit,
Erode - 9.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to call for the records in C.C.No.733 of 2025 on the file of the Judicial Magistrate - II, Erode and to quash the same so far as against the petitioner herein and pass such further or other orders as it may deem fit.

For Petitioner(s): Mr.D.Selvaraju

For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side) For R1



ORDER

This Criminal Original Petition is filed to call for the records in C.C.No.733 of 2025 on the file of the Judicial Magistrate - II, Erode and to quash the same in as much as the petitioner is concerned.

2. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the 1st respondent.

3. Upon considering the gist of allegations, it can be seen that the accused persons were alleged to have entered into a conspiracy by preparing bogus allotment orders and sale deeds in respect of the properties belong to the Tamil Nadu Housing Board, Erode. Bogus sale deeds were prepared as if it is executed officially by the housing board and said to have registered the same. The entire amount was not even paid to the housing board.

4. The contention of the learned counsel for the petitioner is that the petitioner is a lady who is running a Xerox shop where the deeds are said to have been typed out. In the housing board complex, a shop is allotted only to type all the housing board sale deeds, in which the petitioner is running her xerox shop. Except performing the typewriting there is no other allegation levelled against the petitioner. Therefore, when there is no material to proceed against the petitioner, the charge sheet has to be quashed in as much the



petitioner is concerned.

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5. *Per Contra*, Mr.M.Mohamed Riyaz, learned Government Advocate (Criminal Side) appearing for the 1st respondent would submit that all these accused have conspired and knowingly executed the sale deeds. The witnesses have spoken to about the role played by the petitioner.

6. I have considered the rival submissions made and perused the material records of the case. When several accused are said to have conspired and indulged in the act of creating false documents etc, the respective role played by each of the accused, whether they have willingly participated and whether the conspiracy was there or not, all have to be considered by the trial Court. The submission made that the petitioner/accused did not conspire with the other accused cannot be taken into account at this stage. The conspiracy can also be inferred from the circumstances of the case depending upon the entire evidence that is let in during the course of the trial.

7. In view thereof, keeping open the liberty of the petitioner to raise all these grounds before the trial Court, the prayer made in the Criminal Original Petition cannot be countenanced and as such is disposed of. At this stage, the learned counsel for the petitioner submitted that the petitioner is a lady, aged about 49 years and pleads hardship to appear before the trial Court. In view of



the submission made by the learned counsel for the petitioner, the presence of the petitioner before the trial Court except for the hearings that may be insisted upon by the trial Court shall stand dispensed with. Consequently, the connected miscellaneous petition is closed.

03-07-2026

Neutral Citation: Yes/No

JER

To

1. The Judicial Magistrate - II, Erode.
2. The Inspector of Police
District Crime Branch,
Erode,
Erode District.
3. The Public Prosecutor
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

JER

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