



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 17694 of 2026

and

CrI.M.P.No.11801 of 2026

Tharakeshwari

..Petitioner(s)

Vs

1. The State of Tamil Nadu,
Represented by, The Inspector of Police,
Forged Document Prevention Department,
Central Crime Branch,
Tambaram Metro Police Station,
Sholinganallur, Chennai – 600 119.
Crime No.119 of 2020.
2. Anup Mishra
Head-risk Minimization and Mitigation Unit,
M/s.Royal Sundaram General Insurance Co Ltd,
Vishranthi Melaram Towers, Karapakkam,
Chennai – 600 077.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS, to call for the record and to quash the Final report dated 02.05.2023 filed by the respondent police in C.C.No.507 of 2023 on the file of learned Judicial Magistrate – 1, Alandur in so far as the petitioner is arrayed as Accused – 4 for offences under Sections 408, 420, 465, 468, 471 r/w 34 of the Indian Penal Code in Crime No.119 of 2020 of the Respondent police and quash the same in so far as the petitioner is concerned.



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For Petitioner(s):

Mr.S.Gokul

For Respondent(s):

Mr.R.Rajasekaran

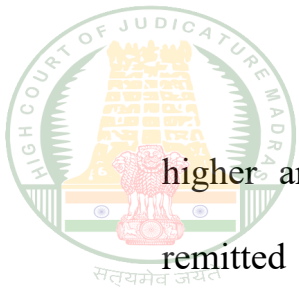
Government Advocate (Criminal Side)
for R1

ORDER

This Criminal Original Petition has been filed to quash the Final Report dated 02.05.2023 in C.C.No.507 of 2023 pending on the file of the learned Judicial Magistrate–I, Alandur.

2. Upon going through the records of the case, the allegation of the prosecution is that all the accused, with the common intention to cheat the defacto complainant, have made false claims and diverted the amounts and have misappropriated the same. Hence, the case was registered, and now the final report is filed for the alleged offences under Sections 408, 420, 465, 468 and 471 read with 34 of IPC.

3. The learned Counsel appearing for the petitioner would submit that the only allegation, as far as the present petitioner/A4 is concerned, is that she had allowed money to be credited into her account. This has been explained by the petitioner/A4 that merely because A2 was her friend, at his request, she permitted the amount to be credited. However, upon coming to know that



higher amounts were being deposited, she immediately contacted A2 and remitted all the amounts back to the 2nd account number, and except for the same, she has no connection whatsoever with reference to the case in question.

4. I have considered the submissions made by the learned Counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent.

5. On a perusal of the statement of accounts, it can be seen that several amounts from the Royal Sundaram account have been credited to the petitioner's account. It is the contention that the petitioner has re-transferred the amounts and that she has got nothing to do with the offence. When the said contention is factual in nature, the same cannot be taken as incontrovertible by this Court so as to interfere at the stage of framing of charges or to proceed with the case itself.

6. Even when two views are possible, in a matter relating to quashing of the Final Report or at the stage of framing of charges, the Court will lean in favour of continuation of the case. The petitioner can establish the said fact that she is not at all connected with the other accused and that her account was also



misused only during the course of Trial. The same cannot form a basis for quashing the proceedings itself.

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7. In view thereof, the prayer in the Criminal Original Petition cannot be countenanced, and as such, the same is dismissed. However, considering the submissions made regarding the hardship pleaded, the personal appearance of the petitioner before the Trial Court shall stand dispensed with, except for such necessary hearings as the Trial Court may insist upon. Consequently, connected Miscellaneous Petition is closed.

10-07-2026

Neutral Citation: Yes/No
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To

- 1.The Judicial Magistrate – I,
Alandur.
- 2.The Inspector of Police,
Forged Document Prevention Department,
Central Crime Branch,
Tambaram Metro Police Station,
Sholinganallur, Chennai – 600 119.
- 3.The Public Prosecutor,
Madras High Court.



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D.BHARATHA CHAKRAVARTHY, J.

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