



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 19758 of 2026

and

Crl.MP.Nos. 13097 & 13098 of 2026

1. Ramakrishnan,
S/o.Venkatraman,
No.15, Kollampattari Street,
Kulithalai, Karur District.
2. Mohan
S/o.Raman,
No.73-21-B, Devangam Pillayar Kovil Street,
Shevapet, Salem.
3. Murali
S/o.Subramani,
No.81/1-A,Pazhani Chetti Street,
Ammamet, Salem.

..Petitioner(s)

Vs

1. The State rep by the Inspector of Police
Central Crime Branch,
Salem City.
2. Umesh
Senior Manager (Finance /ERP),
Sail Refractory Company Limited,
Residing at No.17,Indira Gandhi Street,
Perumal Malai Adivaram,
Narasothipatty, Salem.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS, to call for the records in C.C.No.8/2026 pending on the file of the Learned Judicial



Magistrate Court No.II, Salem and the Quash the proceedings in so far as it relates to the petitioners and pass such orders that this Honourable Court may deem fit and proper under the circumstances of the case in interest of Justice.

For Petitioner(s): Mr.Ilaya Perumal.A

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

ORDER

The Criminal Original Petition is filed to quash the final report filed in C.C.No. 8 of 2026 on the file of the learned Judicial Magistrate Court No.II, Salem.

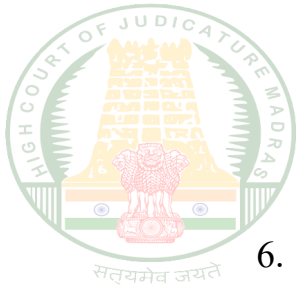
2. Upon considering the first information report, material collected during the investigation and the final report, the gist of allegations against the petitioners is that one Sindhuja, taking advantage of her position in the de facto complainant Company and considering the fact that there was also merger of another Institution, drew up cheques that was due from the Provident Fund account and instead of sending the cheques to the concerned employees, given it to her relatives who are with the similar names and encash the cheques in their account and all these accused thus, misappropriated the lawful money of the de facto complainant.



3. The learned counsel for the petitioner would rely upon two orders that are passed in Crl.O.P.Nos.21700 of 2021 and Crl.O.P.No.11223 of 2023. A perusal of the said orders, it can be seen that those are all cases filed by the employees of the de facto complainant whereas in the said order itself in paragraph 4.5, it is held by the learned Judge that the beneficiaries are suspicious and those details have to be investigated therefore, after investigation and finding that the cheques were deposited in these person's names, the final report is filed. Therefore, *prima facie* there is material to proceed.

4. The further contention of the learned counsel for the petitioners is that just being the relatives, except for permitting the cheque being deposited without the knowledge of the actual facts, the petitioner is implicated cannot be accepted because the same is factual in nature has to be raised only before the Trial Court even otherwise it can be seen that they would be named lenders and thus, aiding the other accused in the transaction.

5. Therefore, keeping open the liberty of the petitioners to raise the defences during the course of the trial, the prayer made in this petition cannot be countenanced and as such the Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petitions are closed.

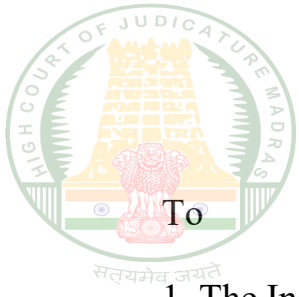


6. Considering the hardship pleaded, the presence of the petitioners before the trial court except for the necessary hearings as may be insisted upon by the Trial Court shall stand dispensed with.

24-07-2026

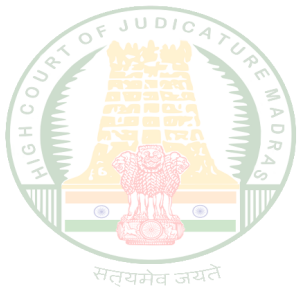
Neutral Citation: No

KKN



To

1. The Inspector of Police,
Central Crime Branch,
Salem City.
2. The learned Judicial Magistrate Court No.II,
Salem.
3. The Public Prosecutor,
High Court of Madras, Chennai.



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D.BHARATHA CHAKRAVARTHY, J.

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