



CrI.O.P.(MD).No.5778 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CrI.OP.(MD)No.5778 of 2026

and

CrI.M.P(MD) No.6230 of 2026

R.Sumathi

...Petitioner/Accused No. 3

Vs

The State Represented through
The Inspector of Police,
District Crime Branch,
Theni District.
(Crime No.8 of 2022)

... Respondent/
Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, to call for the records in C.C.No.421 of 2023 on the file of the Judicial Magistrate, Theni and quash the charge framed against the petitioner, that is pending trial before the Judicial Magistrate, Theni and pass such further order or other orders as this Hon'ble Court may deem fit.

For Petitioner : Mr.V.R.G.Mohan

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

The present Criminal Original Petition has been filed by the third accused in C.C.No.421 of 2023 on the file of the Judicial Magistrate Court, Theni, seeking to quash the charge sheet wherein the petitioner is charged with offence under Sections 420 and 120(b) of I.P.C.

2. A perusal of the charge sheet reveals that third accused is the sister-in-law of the first accused, who is working as the sheristadar in a Court. The primary allegation as against A1 is that he had swindled the entire amount that was deposited by the Insurance Company into the account of the Motor Accident Claims Tribunal and redirected the said amount into the account of the 3rd accused.

3. According to the learned counsel appearing for the petitioner, the third accused is residing away from the family of the first accused and she did not have any knowledge about using the bank account by the first accused. He further submitted that the entire amount has been returned and therefore, he prayed for quashing the charge sheet.



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4. Per contra, the learned Additional Public Prosecutor appearing for the respondent submitted that the FIR came to be registered on the basis of the complaint lodged by the concerned Judicial Officer after verifying the accounts that deposits have been swindled by the sheristadar of the said Court and it was illegally diverted to the account of the family members of the Sheristadar.

5. A perusal of the charge sheet reveals that there is a prima facie case made as against the third accused.

6. Therefore, this Court is not inclined to quash the charge sheet. However, the trial Court is directed to dispose of the criminal proceedings without being influenced by anyone of the observations made by this Court. Considering the age of the petitioner, her personal appearance before the trial Court is dispensed with, unless the trial Court specically direct her to appear before the Court.



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7. With the above said observation, this Criminal Original Petition stands dismissed. Consequently connected Miscellaneous Petition stands closed.

24.03.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To

1. The Inspector of Police,
District Crime Branch,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
3. The Judicial Magistrate Court,
Theni.

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R.VIJAYAKUMAR, J.

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