

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.11142 of 2015

1.R.Giridharan
2.T.Badrinarayanan
3.S.Nedumal
4.V.Venkataraman
5.G.Sankaranarayanan

Petitioners

Vs

1.State rep. By
The Inspector of Police,
Central Crime Branch,
Team - 1, Egmore,
Chennai.

2.Sundaram Fasteners Ltd.,
Rep. By Mrs.S.Rajagopalan,
General Manager (Finance),
Padi, Chennai - 50.

Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records of the F.I.R., comprised in Crime No.500 of 2012 on the file of the Inspector of Police, Central Crime Branch, Team - 1, Egmore, Chennai and quash the same as against all the accused.

For Petitioners	:No Appearance
For R.1	:Mr.C.Emalias, Additional Public Prosecutor
For R.2	:Mr.S.R.Rajagopal

ORDER

On 30.04.2015, the matter was heard and the learned counsel for the petitioners was directed to file a typed copy of the F.I.R. On 11.06.2015, a typed copy of the F.I.R., was filed and the learned counsel for the petitioner sought for adjournment. At his request, it was posted finally today (25.06.2015) for orders.

2.Today, when the matter is taken up for hearing, there is no representation for the petitioners. The learned counsel for the second respondent/defacto complainant is present. Hence, this Court perused the case records.

3.The petitioners are seeking to quash the F.I.R., in Crime No.500 of 2012 on 28.09.2012 for offence under Sections 406, 420, 477-A I.P.C.

4.On a complaint lodged by M/s.Sundaram Fasteners Ltd., the respondent police registered a case in Crime No.500/2012 on 28.09.2012 for offence under Sections 406, 420, 477-A I.P.C., against one Venkatesan and others.

5.The crux of the allegation in the complaint is that, Venkatesan was working as Senior Executive (Finance) in the defacto complainant company and in that capacity, he had siphoned huge amounts by adopting ingenious techniques. It is averred in the complaint that, Venkatesan would raise invoices for purchase of consumables and sanction payments to non existent vendors. Under that head, he appears to have defrauded to the tune of Rs.1,60,00,000/-. Yet another method he adopted was to sanction huge amounts as Traveling Allowance to the petitioners/accused herein for the travels which were never undertaken by them. Under these heads, he misappropriated to the tune of Rs.42,00,000/-. Venkatesan and the named accused in the F.I.R., were arrested and their involvement in the crime came to light. Thereafter, the respondent police arrested Rajan, Kannan and shanmugam.

6.Since, there are sufficient materials for disclosing commission of cognizable offence, the F.I.R., cannot be quashed, in the light of the law laid down by the Hon'ble Supreme Court in State of Haryana V. Bhajan lal (1992 Supp (1) SCC 335) .

7.In the result, the Criminal Original Petition is dismissed with a direction to the first respondent to conduct investigation and file final report, if not already filed, as expeditiously as possible.
jbm

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police,
Central Crime Branch,
Team - 1, Egmore, Chennai.

2.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.S.R.Rajagopal, Advocate SR 31989

sk(co)
prk2/7

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