

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2016

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.R.C.Nos.1223, 1224, 1225 and 1226 of 2015
and
M.P.Nos.1, 1, 1 and 1 of 2015

S.Sampath
S/o.Subramanian ...Petitioner in all revisions

vs.

1. The State of Tamil Nadu
represented by
The Inspector of Police,
C.C.I.W, Cuddalore.
Crime No.3 of 1996
2. Kumar
S/o.Aalalasundaram
3. Kannusamy
S/o.Manicka Gounder Respondents in all revisions

Criminal Revisions filed under Section 397 and 401
Cr.P.C. against the orders of learned Judicial Magistrate
II, Panruti, passed in Crl.M.P.No.6171 of 2015 in
C.C.No.738 of 2009, Crl.M.P.No.6173 of 2015 in C.C.No.739
of 2009, Crl.M.P.No.6172 of 2015 in C.C.No.737 of 2009 and
Crl.M.P.No.6174 of 2015 in C.C.No.742 of 2009 on 07.10.2015.

For Petitioner : Mr.R.Vivekanandan

For Respondent : Mr.K.Madhan,
Government Advocate[Crl.side] [R1]
Mr.M.S.Palaniswamy [R2]
Mr.Chandrasekar [R3]

C O M M O N O R D E R

These revisions arise against the orders of learned Judicial Magistrate II, Panruti, passed in Crl.M.P.No.6171 of 2015 in C.C.No.738 of 2009, Crl.M.P.No.6173 of 2015 in C.C.No.739 of 2009, Crl.M.P.No.6172 of 2015 in C.C.No.737 of 2009 and Crl.M.P.No.6174 of 2015 in C.C.No.742 of 2009 on 07.10.2015.

2. Petitioner is one of the accused in cases pending trial in C.C.Nos.737, 738, 739 and 742 of 2009 on the file of learned Judicial Magistrate II, Panruti. The prosecution case is that the petitioner along with other accused misappropriated monies of the Pudupet Primary Agriculture Co-operative Society, Pudupet. Petitioner sought inclusion of President and Joint Secretary of the Society as accused by way of petitions u/s.319 Cr.P.C. Against dismissal of such petitions, the present revisions have been filed.

3. Heard learned counsel for petitioner, learned Government Advocate [Crl.side] for first respondent, learned counsel for second respondent and learned counsel for third respondent. Perused the materials on record as also the counter.

4. In support of petitions, learned counsel for petitioner relied on Section 81 enquiry report and the admission of the enquiry officer, in the course of cross-examination, to the effect that through the statement of the Secretary of the Co-operative Society, made in the course of Section 81 enquiry, he came to know about the wrong doings of the President.

5. The material relied upon by learned counsel for petitioner cannot be read as evidence in the case and can hardly form the basis for inclusion of accused u/s.319 Cr.P.C.

The Criminal Revisions shall stand dismissed. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

gm

Sub Assistant Registrar

To

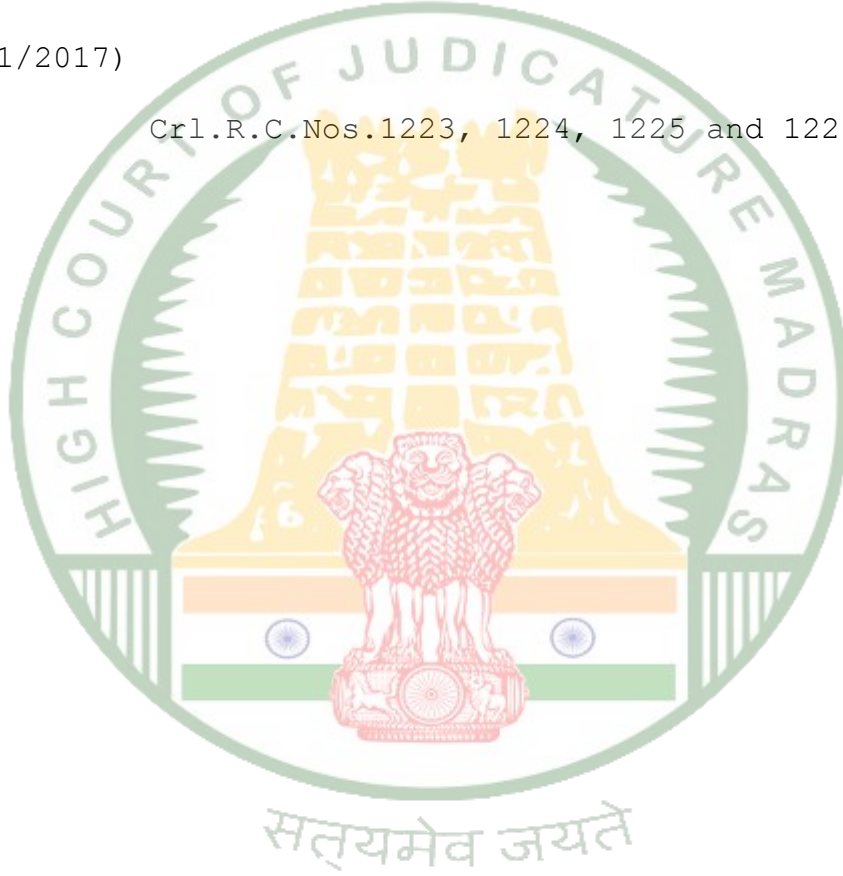
1.The Judicial Magistrate II,
Panruti.

2.The Inspector of Police,
C.C.I.W, Cuddalore.

3.The Public Prosecutor,
High Court, Madras.

SV(CO)
RS(24/01/2017)

Cr1.R.C.Nos.1223, 1224, 1225 and 1226 of 2015



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