



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 28.06.2017  
CORAM  
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.(MD) No.6700 of 2017 &  
CrI.M.P.(MD).No.4379 of 2017

WEB COPY

1.Pallavi Selvarathinam  
2.N.R.K.Selvrathinam  
3.N.R.K.Chiranjeevi Rathnam  
4.Inbarajalingam @ (Inbalingam)  
5.Vijayalakshmi  
6.Jabarali @ (Jaffer Ali)  
7.Maheshkumar : Petitioners/Accused 1 to 7

-vs-

1.State through the Inspector of Police,  
District Crime Branch,  
Virudhunagar,  
Crime No.(17/206) : Respondent/Complainant

2.Ramesh : 2<sup>nd</sup> Respondent/Defacto complainant

**Prayer:** Petition is filed under Section 482 of Code of Criminal Procedure, to call for the records and quash the proceedings of the FIR in Crime No.17 of 2016, dated 25.10.2016 on the file of the 1<sup>st</sup> Respondent.

For Petitioner : Mr.G.Prabju Rajadurai  
For Respondents : Mr.K.Anbarasan for R1  
Government Advocate  
Mr.K.Kumar for R2  
Senior Counsel for  
Mr.R.Vijayakumar

O R D E R

On a complaint lodged by one Ramesh, the respondent police have registered a case in Crime No.17 of 2016, dated 25.10.2016, for the offence under Sections 465, 468 and 471 IPC against Pallavi Selvarathinam and 6 others, challenging which, the accused are before this Court.

2. Heard Mr.G.Prabhu Rajadurai, learned counsel appearing for the accused, Mr.K.Kumar, learned Senior Counsel appearing for the second respondent and Mr.K.Anbarasan, learned Government Advocate appearing for the first respondent.

<https://hcservices.ecourts.gov.in/hcservices/> of the defacto complainant is that he is one of the Directors in Rajarathinam Matches Private Limited since

09.10.2003. Along with him one Ganesan S/o Rajamani Nadar, who is also one of the Directors of Rajarathinam Matches Private Limited holds 11.09% of share in Standard Fire Works Private Limited, and therefore the Directors of Rajarathinam Matches Private Limited have a right to vote in the Board of Standard Fire Works Private Limited; that the accused herein forged the signature of the defacto complainant and created records as if there was a meeting of Rajarathinam Matches Private Limited, in which it was resolved to induct Pallavi Selvarathinam as one of the Directors; that there was no such Board Meeting and the signature of the defacto complainant has been forged in the records.

4. Mr.G.Prabhu Rajadurai, learned counsel strenuously submitted that the defacto complainant is an employee of Rajarathinam Matches Private Limited and for internal reason he was inducted as a Director in the year 2003 and that the major shares are being held only by the family of 2<sup>nd</sup> and 3<sup>rd</sup> petitioners and therefore there was no necessity for the accused to have manipulated any board meeting records for the purpose of inducting Pallavi Selvarathinam as one of the Directors.

5. Per contra, Mr.K.Kumar, learned Senior Counsel would submit that the First Information Report prima facie discloses commission of cognizable offences. In such circumstances, when there are allegations of forgery, this Court should not interfere at the threshold and quash the prosecution.

6. Law relating to quashment of First Information Report has been fairly settled by the judgment of the Hon'ble Supreme Court in **State of Harayana v. Bhajan Lal and Ors.** reported in **AIR 1992 SC 604**

7. In the First Information Report, it is alleged that Ramesh's signature has been forged in the Board Meeting and in the forms that were submitted to the Registrar of Companies and that requires a thorough investigation. Whether there was any necessity for the accused to have done this alleged offence is a question of fact which has to be decided only during the course of investigation.

8. In view of the above, this Court is of the view that there are prima facie materials for a full-fledged investigation in the allegations made in the complaint. This Court should not interfere and quash the First Information Report at the threshold. Hence, this petition is devoid of merits and accordingly, it is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl side)



To:

State through the Inspector of Police,  
District Crime Branch,  
Virudhunagar,

WEB COPY

jikr

MAS/MR-KKR/SAR3:18.07.2017:2P-2C

Order made in  
Crl.O.P.(MD) No.6700 of 2017 &  
Crl.M.P.(MD).No.4379 of 2017  
28.06.2017(1/2)