



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 25.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No. 22949 of 2017

Vijayalakshmi

. . . Petitioner

Versus

State represented by,
The Sub-Inspector of Police,
Central Crime Branch,
EDF-II, Team-IV,
Vepery,
Chennai-600 007.
Crime No.49/2010.

. . . Respondent

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the proceedings in C.C.No.2504 of 2017 on the file of CCB Court, Allikulam, Chennai.

For Petitioner : Mr.S.Swamidoss Manokaran

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.2504 of 2017 filed against the accused under Sections 406, 420, 419, 465, 468, 471 r/w. 120(b) IPC, on the file of CCB Court, Allikulam, Chennai.

2.The case of the prosecution is that the husband of the petitioner (A1) was entrusted with the job of maintaining the property. The main crux of the allegations is that, while the owner of the property was away from India, the petitioner (A2), along with her husband (A1), forged the signature of the original owner and availed huge loans in connivance with the Bank officials, by impersonation, thereby, they committed the aforesaid offences.

3.The only contention of the learned counsel appearing for the petitioner is that the petitioner is a lady and there is no serious allegation against her, therefore, the charge against



her has to be quashed.

4. Heard the learned counsel for the petitioner and perused the materials available on record.

5. I am unable to persuade myself to accept the contention of the learned counsel appearing for the petitioner. The materials collected by the prosecution indicate that there are prima facie materials to proceed against the accused. The very materials, particularly the statements and other materials collected by the prosecution, indicate that there are serious allegations of forgery by impersonation that are unearthed during the investigation. In such view of the matter, it is a fit case for the petitioner/accused to stand for trial. Accordingly, the question of quashing the final report will not arise at all.

6. Therefore, this Criminal Original Petition is dismissed.

7. The Trial Court is directed to expedite the trial and dispose of the main case as expeditiously as possible.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

psa/mkn

To

1. The Metropolitan Magistrate,
CCB Court,
Allikulam, Chennai.

2. The Sub-Inspector of Police,
Central Crime Branch,
EDF-II, Team-IV,
Vepery, Chennai-600 007.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Swamidoss Manokaran, Advocate SR.No.61833

Cr1. O.P. No. 22949 of 2017

NRL (CO)
GMY (08/12/2021)