



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 12.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.19461 OF 2017 AND
CRL. M.P. NOS.11763 & 11764 OF 2017

R.Lakshmi

.. Petitioner

- Vs -

1. The State of Tamil Nadu
rep. by the Deputy Superintendent of Police,
District Crime Branch,
Thiruvannamalai Sub-Division,
Crime No.2 of 2009. ...Respondent/Complainant
2. C.Palanichamy,
Company Secretary,
Bannari Amman Sugars Ltd,
No.1212, Trichy Road,
Coimbatore - 641 018. ...Respondent/
De-facto Complainant

PRAYER:

Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.456 of 2012 pending on the file of Judicial Magistrate No.1, Thiruvannamalai and quash the same.

For Petitioner : Mr.G.Sampath
for Mr.S.Silambu Selvan

For Respondents: R1 - Mr.S.Vinoth Kumar
Government Advocate
(Criminal Side)

R2 - Mr.N.Surya Narayanan
for Mr.R.Parthasarathy



ORDER

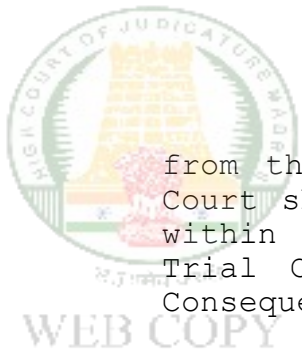
The above petition has been filed to quash the charge sheet filed against the accused under Section 414 of I.P.C.

2. Originally, final report has been filed against the petitioner and her husband for the offences under Sections 408, 420 and 414 of I.P.C. In previous occasion, it appears from the records that though the counsel appearing for the petitioner is not able to provide any assistance to this Court, from the records it is found that in an earlier instance, a petition in CrI.O.P.No.27212 has been filed by the petitioner to quash the proceedings in crime No.2 of 2009 for the offences under Sections 408 r/w 109, 414, 420, 468, 471, 477(A) of I.P.C. This Court dismissed the above petition on 14.10.2014. Thereafter, it appears that the petitioner has filed a discharge petition before the Trial Court in C.C.No.456 of 2012 to discharge the petitioner herein and the same has been dismissed. As against the order of the dismissal, a Criminal Revision Petition has been filed before this Court in Criminal Revision Case No.1303 of 2015. This Court after hearing both sides discharged the present petitioner from the offences under Sections 408 and 420 of I.P.C. However, this Court directed the petitioner to face the trial under Section 414 of I.P.C. This order was passed in the Revision on 22.01.2016.

3. Not stopping with that, the petitioner has once again filed a petition in CrI.O.P.No.3011 of 2017 to quash the entire proceedings. The same petition was withdrawn by the petitioner without any reasons in the year 2017. Thereafter, once again this Criminal Original Petition has been filed immediately after withdrawal, when the roster of the judges has been changed.

4. The conduct of the petitioner filing petitions repeatedly one by one from the inception, despite a detailed Order passed by this Court in the Criminal Revision and recorded a finding that there is a prima facie case to proceed against the petitioner under section 414 of IPC. Repeatedly, these kind of petitions filed by the petitioner exhibits forum shopping and such conduct is deprecated.

5. In view of the same, this petition is dismissed with a cost of Rs.5,000/- (Rupees Five Thousand Only) payable to the District Legal Centre, Thiruvannamalai within fifteen(15) days



from the date of receipt of a copy of this Order. The trial Court shall expedite the trial and complete the same preferably within a period of 6 months. It is also to be noted that the Trial Court should ensure that the cost has been recovered. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vrc/kbs

To

- 1 The Judicial Magistrate No.1,
Thiruvannamalai.
- 2 The District Legal Centre,
Thiruvannamalai.
- 3 The Deputy Superintendent of Police,
District Crime Branch,
Thiruvannamalai Sub-Division.
- 4 The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.19461 of 2017 and
CRL. M.P. Nos.11763 & 11764
of 2017

SSV(CO)
PM/24/11/2021