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Crl.R.C.No.192 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.192 of 2018

and Cr.M.P.No.1754 of 2018

1. G.Rathinam
2. R.Malliga

... Petitioners

Vs.

The State by
Inspector of Police,
CCIW/CID, Vellore,
Vellore District.
(Crime No.2 of 2016)

... Respondent

PRAYER: Criminal Revision case has been filed under Section 397 r/w 401 of Cr.P.C to set aside the order passed in the discharge petition in C.M.P.No.1831 of 2017 in C.C.No.341 of 2017 on the file of the Judicial Magistrate No.II, Vellore dated 07.11.2017.

For Petitioners : Mr.V.Elangovan

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.Side)

ORDER

This Criminal Revision case has been filed as against the order passed in the discharge petition in C.M.P.No.1831 of 2017 in C.C.No.341 of 2017 on the



Crl.R.C.No.192 of 2018

file of the Judicial Magistrate No.II, Vellore dated 07.11.2017, thereby
dismissed the discharge petition filed by the petitioners.

2. The petitioners are accused in C.C.No.341 of 2017 on the file of the learned Judicial Magistrate No.II, Vellore and facing the charges for the offences under Sections 408, 468, 471, 477(A) and 109 of IPC.

3. The case of the prosecution is that A1, being a Secretary, A2, being the cashier of Andiapanoor primary agricultural co-operative credit society, disbursed agricultural loans to its members; in such process, they have committed willful misappropriation of the loan amount by falsification of entire bank records and also committed the offence of forgery and used the same as genuine. Those loans were sanctioned with the help of A3 in the name of members, using the forged documents. While pending the framing of charges, the petitioners filed a petition to discharge them from all the charges. However, it was dismissed by the Trial Court.

4. The learned counsel for the petitioners would submit that without prejudice to their right of defence before the Trial Court, a time may be fixed for completion of trial.



Crl.R.C.No.192 of 2018

WEB COPY

5. Considering the submission made by the learned counsel for the petitioners, this Criminal Revision case is dismissed with a liberty to raise all the grounds before the Trial Court during the Trial. The Trial Court is directed to complete the Trial in C.C.No.341 of 2017, within a period of six months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous petition is closed.

01.11.2022

Index: Yes/No

Internet: Yes/No

Speaking/Non-Speaking order

mn

To

1. The Judicial Magistrate No.II, Vellore.
2. The Inspector of Police,
CCIW/CID, Vellore,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.



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Crl.R.C.No.192 of 2018

G.K.ILANTHIRAIYAN, J

mn

Crl.R.C.No.192 of 2018

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