



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.R.C.NO.631 OF 2022

&

CRL.M.P.NOS.6575, 6576 OF 2022

M.Perumal

...Petitioner

Versus

The State of Tamil Nadu
Rep. by its Inspector of Police,
C.C.I.W - C.I.D,
Dharmapuri Taluk,
Dharmapuri District.

...Respondent

Prayer : Criminal Revision Petition filed under Section 397 and 401 of Criminal Procedure Code, to set aside the order passed in Crl.M.P.No.1707 of 2020 in C.C.No.151 of 2020, dated 11.04.2022 on the file of the learned Judicial Magistrate No.II, Dharmapuri.

For Petitioner : Mr.L.G.Sahadevan

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

ORDER

This Revision is filed against the order of the learned Judicial Magistrate No.II, Dharmapuri, dated 11.04.2022 in Crl.M.P.No.1707 of 2020 in C.C.No.151 of 2020 in and by which, the application for discharge filed by the petitioner was dismissed by the Trial Court. The ground on which the discharge is sought is that the Enquiry Report, under Section 81 of the Tamil Nadu Co-operative Societies Act, is not submitted within time and the expert opinion is in favour of the petitioner that he did not commit any act of forgery or creating any false document.

2. It is seen that the several allegations are made against the petitioner and the chargesheet is filed for the offences under Sections 408, 465, 477 (A) of I.P.C and therefore, at the stage of discharge, it cannot be said that there is no material or even strong suspicion to frame charges against the petitioner.



3. Therefore, giving liberty to the petitioner/accused to raise all the points, raised even in the discharge application, during the course of trial, this Revision Case is dismissed as without any merits on the following terms:-

(i) Considering the fact that the application is of the year 2017, the Trial Court is directed to dispose off the case as expeditiously as possible, in any event, not later than a period of six months from the date of receipt of a copy of this order;

(ii) It is made clear that the Trial Court may not take into consideration any of the observations made in this order or the order of the Trial Court itself refusing to discharge while deciding the case on merits.

(iii) Consequently, CrI.M.P.Nos.6575 and 6576 of 2022 are closed.

Sd/-

Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

grs

To

1.The Judicial Magistrate No.II,
Dharmapuri.

2.The Inspector of Police,
C.C.I.W - C.I.D,
Dharmapuri Taluk,
Dharmapuri District.

3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.L.G.Sahadevan, Advocate Sr.No.38433

CrI.R.C.No.631 of 2022

SKM(CO)

RVM(06/07/2022)