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Crl.O.P.No.26283 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P. No.26283 of 2019

&

Crl. M.P.Nos.14068 & 14070 of 2019

M.Shanmugapriya

... Petitioner

Vs.

1.The State:

Represented by Inspector of Police,
J-2, Adyar Police Station, Chennai – 600 020.

2.B.Perumal

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in C.C.No.4654 of 2015 on the file of IX Metropolitan Magistrate, Saidapet and quash the same in so far as the petitioner is concerned.



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For Petitioner : Mr. M.K.Ajithkumar

For Respondent 1 : Mr. A.Damodaran
Additional Public Prosecutor

For Respondent 2 : No Appearance.

ORDER

The petition is filed to quash the final report filed for the alleged offences under Sections 406, 409, 420, 381, 120 (b) read with 34 of IPC.

2. The learned counsel for the petitioner would submit that the allegations against the petitioner / 3rd accused are false and she had resigned from the partnership firm even as early as on 09.05.2013. The learned counsel would submit that the petitioner has been roped in only to wreak vengeance.



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3. This Court is of the view that the points raised by the petitioner are factual in nature and has to be adjudicated only before the Trial Court. However, the petitioner is at liberty to raise all her contentions before the Trial Court. The petitioner being a lady, her appearance before the Trial Court is dispensed with, unless, the learned IX Metropolitan Magistrate, Saidapet, considers her presence is necessary for the progress of the Trial.

4. With the above observation, the petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

08.06.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

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To
The IX Metropolitan Magistrate,
Saidapet.



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SUNDER MOHAN. J,

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