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Crl.O.P.Nos.30234 & 30235 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2023

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P. Nos. 30234 & 30235 of 2019

&

Crl. M.P. Nos. 16360 to 16363 of 2019

Crl.O.P. No. 30234 of 2019

L.Ramesh

... Petitioner

Vs.

1.State, Rep by
Sub Inspector of Police
Central Crime Branch (Team – 5)
Vepery, Chennai.

2.Lakshmmi Subramanian

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to C.C.No.4907 of 2017 on the file of the learned Metropolitan Magistrate for CCB and CBCID Cases at Egmore, Chennai and quash the same.



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For Petitioner : Mr. I.Periaswamy
For Respondent 1 : Mr. A.Damodaran
Additional Public Prosecutor
For Respondent 2 : Mr. K.Vijayaraghavan

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Manivannan

... Petitioner

Vs.

1.State, Rep by
Sub Inspector of Police
Central Crime Branch (Team – 5)
Vepery, Chennai.

2.Lakshmmi Subramanian

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to C.C.No.4907 of 2017 on the file of the learned Metropolitan Magistrate for CCB and CBCID Cases at Egmore, Chennai and quash the same.



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For Petitioner : Mr. I.Periaswamy
For Respondent 1 : Mr. A.Damodaran
Additional Public Prosecutor
For Respondent 2 : Mr. K.Vijayaraghavan

COMMON ORDER

These petitions are filed to quash the final report for the alleged offences under Section 420, 465, 467, 468, 471 read with 34 of the IPC.

2. The allegation is that A1 and A2 had forged the signatures of the 2nd respondent herein and misappropriated money from her bank account. It is further alleged that A3 and A4 (petitioners in the respective petitions) are the bank employees who had allowed A1 and A2 to commit misappropriation.

3. This Court finds that the points raised by the petitioners that they were not aware of the alleged forgery and hence they are not liable for the offences can only be adjudicated before the Trial Court. Hence,



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this Court is not inclined to entertain the quash petition. However, the petitioners are at liberty to raise all their submissions before the Trial Court.

4. The appearance of the petitioners in both the petitions, namely, L.Ramesh and Manivannan is dispensed with unless the learned Metropolitan Magistrate for CCB and CBCID Cases at Egmore, Chennai consider their presence necessary for the progress of the Trial.

5. With the above observation, the petitions are dismissed. Consequently, connected Miscellaneous Petitions are closed. No costs.

10.04.2023

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



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The Metropolitan Magistrate for
CCB and CBCID Cases at Egmore,
Chennai



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SUNDER MOHAN. J,

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