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Crl.O.P.No.8238 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8238 of 2024

M.Pandiayan

... Petitioner/Accused

/versus/

1. State Rep. by.

The Inspector of Police,
District Crime Branch,
Tirupattur District (then Vellore District).
(Crime No.05 of 2011)

2. The Deputy Registrar,
Co-operative Societies,
Tirupattur District.

...Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.547 of 2018 on the file of the Learned Judicial Magistrate No.II, Vellore, Vellore District and to quash the same.

For Petitioner : Mr.C.S.Vijayakumar

For R1 : Mr.K.M.D.Muhilan.
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed to quash the C.C.No.547 of 2018 on the file of the Learned Judicial Magistrate No.II, Vellore District.

2. The petition to quash the pending criminal complaint initiated based on the enquiry report submitted by the Enquiry Officer under Section 81 of Tamil Nadu Co-operative Societies Act. The report as such indicates that there was misappropriation of Society fund to a tune of Rs.73,273.30/- and the case has been registered for the offences under Sections 408 & 477 of I.P.C., the charges were framed and already trial has commenced.

3. The Learned Counsel for the petitioner wants to raise grounds which are factual in nature and he has to canvas these grounds in the trial Court and not before the Hon'ble High Court under Section 482 of Cr.P.C.

4. Hence, this Criminal Original Petition is dismissed with liberty to the petitioner herein to raise all the points before the trial Court. Since, the case is of the year 2018, the trial Court is directed to complete the trial in accordance with



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law, preferably within a period of four months, from the date of receipt of copy of

this order.

05.04.2024

Index :Yes/No.

Internet :Yes/No.

Speaking Order/Non-Speaking Order
bsm.

Copy to:-

1. The Judicial Magistrate No.II, Vellore, Vellore District
2. The Inspector of Police,
District Crime Branch,
Tirupattur District (then Vellore District).
(Crime No.05 of 2011)
3. The Deputy Registrar,
Co-operative Societies,
Tirupattur District.
4. The Public Prosecutor, High Court, Madras.

Dr.G.JAYACHANDRAN,J.

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