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CrI.O.P.No.22479 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 14.02.2024

CORAM:

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

CRL.O.P.No.22479 of 2022

and

CRL.M.P.Nos.14455 and 14456 of 2022

Michale Rosilda,  
W/o.Antony Sathish

... Petitioner

Vs.

1.The State represented by,  
The Inspector of Police,  
Central Crime Branch (Team No.II),  
Vepary, Chennai – 600 007.  
(Crime No.66 of 2017)

2.P.Rajkumar,  
S/o.Premkumar

... Respondents

**PRAYER** : This Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to call for the records in relating to C.C.No.100 of 2022 pending on the file of the Judicial Magistrate No.1, Poonamallee and to quash the same.



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For Petitioner : Mr.T.P.Sekar  
For R1 : Mr.S.Vinoth Kumar  
Government Advocate (CrI.Side)  
For R2 : Notice Served

**ORDER**

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.100 of 2022 on the file of the Judicial Magistrate No.1, Poonamallee.

2. Heard both sides.

3. The petitioner is ranked as A4 in the F.I.R. in Crime No.66 of 2017 registered against the petitioner for the offence under Section 420, 120B and 506(1) of I.P.C. Subsequently, the charge sheet has been filed and the same was taken on file in C.C.No.100 of 2022 on the file of the Judicial Magistrate No.1, Poonamallee and the same is pending. Now, the petitioner had filed this petition praying to quash the said charge sheet.



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4. The learned counsel for the petitioner submitted that the petitioner is only a name lender and in her name, her husband was doing business with A1. The petitioner is the wife of A2. The Accused 1 and 2 were running a business, in which the petitioner's name was used by her husband for an income tax purpose. He would also submit that she has not received any amount as alleged by the defacto complainant. Even assuming that as per the Bank statements, she already had repaid a sum of Rs.3,97,000/-. Hence, the learned counsel for the petitioner stated that she has been falsely implicated in this case and prayed to quash the proceedings.

5. On the prosecution side, an issue has been raised stating that nearly about a sum of Rs.89,00,000/- was involved in this case. Based on the false promise, the de-facto complainant had sent the amount through bank account.

6. Therefore, on seeing the nature of the offence, I am not inclined to quash the proceedings. If at all any defence is available to the petitioner, she has to raise the same before the Trial Court. Accordingly, this Criminal



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Original Petition stands dismissed as no merits. Consequently, connected Criminal Miscellaneous Petitions are closed. However, the Trial Court is directed to complete the trial and dispose the case.

14.02.2024

Index : Yes / No  
Neutral Citation: Yes / No  
Speaking/Non-speaking order  
mkn2

To

- 1.The Judicial Magistrate No.1,  
Poonamallee
- 2.The Inspector of Police,  
Central Crime Branch (Team No.II),  
Vepary, Chennai – 600 007.
- 3.The Public Prosecutor,  
High Court, Madras.



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**T.V.THAMILSELVI, J.**

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