



CrI.O.P.No.27593 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM:

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

CrI.O.P.No.27593 of 2022

and

CrI.M.P.No. 16946 of 2022

K.Nagappan

... Petitioner

Versus

1. State rep. by its
The Inspector of Police,
CBCID – Villupuram Police Station,
Villupuram Dt.
(Crime No.2 of 2020)

2. K.Velayutham,
The Joint Director of Agriculture,
Agriculture Department,
Kallakurichi Dt.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the
Code of Criminal Procedure, to call for the records of the 1st respondent in



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F.I.R. No.2 of 2020 on the file of the CBCID, Villupuram Police Station, Villupuram District and quash the FIR in so far as it pertains with the petitioner herein.

For Petitioner : Ms.N.Kavitha Rameshwa
For Respondents : Mr.S.Vinoth Kumar,
Govt. Advocate (Crl. Side) for R1
R2 – No appearance

ORDER

This Criminal Original Petition has been filed seeking to quash the F.I.R. in Crime No. 02 of 2020 on the file of 1st respondent police.

2. Heard both sides.

3. The 1st respondent registered an F.I.R. against the petitioner in Crime No.02 of 2020 for the offence under Sec.409, 420, 468, 471 of I.P.C. r/w Sections 43, 66C of the Information Technology Act, 2000 and he filed this petition praying to quash the proceedings stating that he has been falsely implicated in this case. He was working as B.T. Assistant (English) in Government High School, Athiyanthal, Kallakurichi and he is no way connected with the alleged occurrence mentioned in the F.I.R.



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based on the complaint given by the 2nd respondent/defacto complainant. Further, he would submit that the uploaded data through aadhar card and account number are varied and ineligible beneficiaries were said to have registered through computer centres only. Hence, he is no way connected with the offence and there is no specific allegations against him in the F.I.R., but he was arrested on 30.11.2020. Accordingly, he prayed to quash the proceedings, since because there is no specific allegation against him.

4. By way of reply, the learned Government Advocate (Criminal Side) appearing for 1st respondent would submit that on investigation, it was unearthed that the petitioner is running a common service centre in the name of his wife Padmasri (CSC) in I.D.No. 655611350012 at Manaloorpettai in Kallakurichi Dt. Witnesses viz., (1) Tmt. Palaniammal, w/o. Venu (2) Tmt. Santha, w/o. Govindhasamy, (3) Tmt. Munich, w/o. Kathamuthu, (4) Tmt. Kasiammal, w/o. Vellaiyan, (5) Tr. Subash, s/o Anaiyappan and (6) Tmt. Pazhaniammal, w/o Anaiyappan stated that the petitioner/accused Nagappan had cheated the innocent villagers that all



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landless agriculture labour were eligible to get monetary benefit under PM Kisan Scheme and collected the copy of aadhar card, bank account numbers along with Rs.500/- as commission from the innocent people at Manaloorpettai and surrounding villages in Thirukovilur block. It is also revealed that the petitioner/accused Nagappan had uploaded the ineligible beneficiaries directly by login the PM Kisan Portal by using official user ID and password. Furthermore, the report from the Joint Director of Agriculture, Kallakurichi District revealed that names of the 7493 ineligible beneficiaries were uploaded in Thirukovilur block under the said portal. Hence, he prayed to dismiss this petition, since because the investigation is at preliminary stage.

5. On considering the facts and circumstances and also on considering both side submissions, it reveals that there is a fraudulent entry made by the accused persons concerned in the F.I.R., based on that, the Government money was misappropriated and nearly about 7493 ineligible beneficiaries were uploaded in order to avail benefits under PM Kisan Scheme. Now, the investigation is at preliminary stage as per the



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submissions of learned Government Advocate. Hence, at this stage, the proceedings initiated against the petitioner cannot be quashed. Therefore, this Court is not inclined to quash the F.I.R. in Crime No.02 of 2020 registered against the petitioner. Accordingly, this Criminal Original Petition is dismissed as no merit. Consequently, connected Criminal Miscellaneous Petition is closed.

11.01.2024

Index: Yes/No
Internet: Yes/No
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To

1. The Inspector of Police,
CBCID – Villupuram Police Station,
Villupuram Dt.
2. The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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