



Crl.O.P.(MD)No.12777 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.12777 of 2022
and
Crl.M.P.(MD)No.8092 of 2022

Sundarakaleeswari

... Petitioner

Vs.

1.The State, Represented by, its,
The Inspector of Police,
CCIW Police Station,
Ramanathapuram District.
(Crime No.6 of 2021)

2.The Deputy Registrar,
Deputy Registrar Office,
KTM Kasim Centre, 2nd Floor,
Saalai Street,
Ramanathapuram District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in relating to impugned FIR in Crime No.6 of 2021 on the file of the respondent police and to quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.B.Nambiselvan,
Additional Public Prosecutor.



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ORDER

This Criminal Original Petition has been filed to quash the impugned FIR in Crime No.6 of 2021 on the file of the first respondent.

2.The case of the prosecution is that the petitioner along with the other accused worked as employees of the Co-operative Bank, Nainarkovil Branch. During that period between 18.05.2012 and 16.04.2015, the accused persons misappropriated a sum of Rs. 1,45,60,000/- by sanctioning loans to 75 bogus women self help groups and two fake Panchayat groups and withdrew the same by way of withdrawal slip. In the present case, the petitioner has misappropriated Rs.10,00,000/-. Hence, the first respondent police registered a case in Crime No.6 of 2021 against the petitioner and other accused for the alleged offences punishable under Sections 409, 420, 465, 468, 471, 477A and 120B of IPC.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent; she is not responsible for the alleged misappropriation made by A1 and A2; she does not have any knowledge



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about the misappropriation; there is no specific allegation made against the petitioner; and she has been falsely implicated in this case.

Accordingly, he prayed for allowing this petition.

4.The learned Additional Public Prosecutor appearing for the first respondent would submit that there are materials available to proceed with the case as against the petitioner herein and at the threshold, the criminal proceedings cannot be quashed and hence, he would pray to dismiss the present petition.

5.On a reading of the FIR, there appears to be some materials for the investigation to proceed. During the course of investigation, if it is found that the de-facto complainant has deliberately roped in the petitioner, it is needless to state that action against her should be dropped. Interfering with the investigation, which is at an infancy stage under Section 482 of the Code of Criminal Procedure, will be against the law laid down by the Supreme Court in ***State of Haryana and others vs. Bhajan Lal and others*** reported in ***1992 Supp (1) SCC 335***. The first respondent police is directed to bear in mind the tendency of such



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complainants to rope in all and sundry, falsely only to harass her and cautiously proceed with the investigation, so that innocents are not subjected to humiliation.

6.In the result, this criminal original petition is dismissed.
Consequently, connected miscellaneous petition is closed.

05.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Sji

To

- 1.The Inspector of Police,
CCIW Police Station,
Ramanathapuram District.
- 2.The Deputy Registrar,
Deputy Registrar Office,
KTM Kasim Centre, 2nd Floor,
Saalai Street,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

Sji

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