



Crl.O.P(MD).No.17563 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2024

CORAM :

THE HON'BLE MR JUSTICE A.A.NAKKIRAN

Crl.O.P(MD).No.17563 of 2022 and
Crl.M.P(MD).Nos.11872 and 11874 of 2022

K.Shanmugavel

... Petitioner

Vs.

1.State rep. by
The Inspector of Police,
CBCID South Police Station,
Pudukkottai,
Pudukkottai District.
(in Crime No.2 of 2019)

2.Selvaraj

... Respondents

PRAYER:- Petition filed under Section 482 Cr.P.C., to call for the records relating to the impugned charge sheet in C.C.No.37 of 2022 on the file of the learned Judicial Magistrate No.II, Pudukkottai, Pudukkottai District and quash the same as far as the petitioner is concerned and consequently, direct the above case in C.C.No.37 of 2022 to be re-investigated by any other independent investigation Agency.

For Petitioner : Mr.R. Yamuna

For Respondent No.1 : Mr.R.M.Anbunithi

Additional Public Prosecutor

For respondent No.2 : No appearance



Cri.O.P(MD).No.17563 of 2022

ORDER

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This Criminal Original Petition has been filed to call for the records and quash the charge sheet in C.C.No.37 of 2022 on the file of the learned Judicial Magistrate No.II, Pudukkottai, Pudukkottai District as far as the petitioner is concerned.

2. The case of the prosecution is that the first accused, who worked as a Branch Manager in Indian Bank, Veppankudi Branch and other accused had created a forged documents and misappropriated the funds and given a jewel loan as well as the agricultural loan. Hence, the case has been registered in Crime No.2 of 2019 on the file of the first respondent police and thereafter, case has been charge sheeted in C.C.No. 37 of 2022 on the file of the learned Judicial Magistrate No.II, Pudukkottai for the offences under Sections 120(B), 409, 420, 465, 468, 471, 477A, 381 418, 109, 201 IPC r/w. Section 66D of the Information Technology Act.

3. The learned counsel appearing for the petitioner submitted that both the A1 and A3 colluded together and committed the offence and the petitioner is no way connected with the offence. He would further



Crl.O.P(MD).No.17563 of 2022

submit that the petitioner herein has been falsely roped in this case and prays for allowing this petition.

4. The learned Additional Public Prosecutor appearing for the first respondent Police submitted the petitioner herein and other accused have created a forged documents and mis appropriated a sum of Rupees more than One and Half Crores. He would further submit that they have collected 202 documents and 55 witnesses have been examined and prays for dismissal of this petition.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. Considering the fact that the allegations made against the petitioner is serious in nature and that the truth will come out only after examination of all the witnesses, this Court is not inclined to allow these petitions at this stage.

7. Accordingly, these Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are



Crl.O.P(MD).No.17563 of 2022

closed.

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8. In the circumstances, the learned counsel appearing for the petitioner seeks early disposal of the above said C.C.No.37 of 2022 on the file of the learned Judicial Magistrate No.II, Pudukkottai, Pudukkottai District, within the time stipulated by this Court.

8. In view of the said submission, there shall be a direction to the learned Judicial Magistrate No.II, Pudukkottai, Pudukkottai District, to dispose the C.C.No.37 of 2022 pending on its file within a period of six months from the date of receipt of a copy of this order.

25.04.2024

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
trp



Crl.O.P(MD).No.17563 of 2022

WEB COPY To

1. The learned Judicial Magistrate No.II, Pudukkottai, Pudukkottai District
2. The Inspector of Police,
CBCID South Police Station,
Pudukkottai,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Crl.O.P(MD).No.17563 of 2022

A.A.NAKKIRAN, J.

Trp

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Crl.M.P(MD).Nos.11872 and 11874 of 2022**

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