



CRL MP(MD) NO. 13961 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19-12-2024

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL MP(MD) NO. 13961 of 2024

IN

CRL OP(MD) NO. 22387 OF 2024

R.Parimalam

W/o.Chandrabose, No.6, Pioneer Nagar, R.F.Road,
Tirumangalam, Madurai District.

Petitioner(s)

Vs

The State of Tamil Nadu

Rep by The Inspector of Police,

Tirumangalam Taluk Police Station,

Madurai District.Crime No.52/2021 and another

Respondent(s)

For Petitioner(s):

Mr.C.Muthusaravanan

For Respondent(s):

Mr.A.Thiruvadi Kumar

Additional Public Prosecutor for R1

ORDER

Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor takes notice for the first respondent.

2. Notice to the second respondent returnable by **03.02.2025**. Private notice is

also permitted.

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3. The petitioner / A11 in C.C.No.288 of 2023 facing trial for the offences under Sections 120B, 201, 403, 406, 408, 420, 465, 468, 471, 506(i) and 379 of the I.P.C. and Section 65 of the Information Technology Act, 2000, has filed this quash application.

4. The learned counsel for the petitioner contends that totally, there are 17 accused in this case, with the petitioner being arrayed as A11. After retiring from service, the petitioner joined the school run by the Teddy Trust, as a Coordinator. She was employed with the Trust from 2016 to 2019. During this period, it is alleged that the other accused, namely the General Manager and the Accounts Assistant, created fake receipts, vouchers, and documents to falsely show that the Trust had incurred an expenditure of Rs.2,85,78,140/-, which was not properly accounted for, leading to misappropriation and cheating.

5. The learned counsel for the petitioner submits that the charge sheet details 32 instances where each accused played a role, and for the petitioner, it specifically refers to Instances Nos.3 and 25. Regarding these instances, the learned counsel for the petitioner points out that witnesses L.W.7, L.W.18, and L.W.19 have Stated about the transactions. From the statements of these witnesses, it is admitted that the expenses were shown under various heads without actual expenditure, for which the Accounts Section and the General Manager are responsible. As far as the petitioner is concerned, the charge sheet contains a broad allegation that she, along with the other



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accused, collected the fees of the schools amounting to Rs.2.85 Crores and handed over the money to A1 and A2, who failed to deposit it in the Trust account. Instead, the money was split into two parts: Rs.1,22,85,800/- was entered in the cash receipt and voucher, and the remaining Rs.1,62,92,340/- was allegedly shared between the petitioner, the General Manager (Accounts), and one Mangaiyerarasi (L.W.19).

6. The learned counsel for the petitioner further submits that Mangaiyerarasi, who is cited as L.W.19 for the same alleged actions, has been treated as a witness, while the petitioner has been made an accused (A11), which the learned counsel submits is unjust. Therefore, the petitioner should be considered as a potential witness rather than an accused in the case involving the misappropriation and cheating allegedly committed by the other accused.

7. Finding force in the above said submissions, there shall be an order of interim stay of all further proceedings in C.C.No.288 of 2023, on the file of the Judicial Magistrate Court, Thirumangalam, Madurai District, in respect of the petitioner alone.

sd/-
19/12/2024

/ TRUE COPY /

/01/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

1 THE JUDICIAL MAGISTRATE COURT, THIRUMANGALAM, MADURAI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
TIRUMANGALAM TALUK POLICE STATION,
MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL MP(MD) No.13961 of 2024
Date :19/12/2024

SS/GSV/SAR. /02.01.2025/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.