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Crl.O.P.No.14071 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.06.2025

Coram:

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

Crl.O.P.No.14071 of 2025 &
Crl.M.P.No.9498 of 2025

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1.S.Vignesh
2.Sri Ram Alagappan
3.Karthik

.. Petitioners

Vs.

1.State Rep. by Inspector of Police,
Central Crime Branch, Alpha-6,
Job Rocketing Wing,
Vepery, Chennai District.
(Crime No.163 of 2014)

2.M.P.Janarthanan

.. Respondents

Criminal Original Petition filed under Section 528 of BNSS, to call for the records in C.C.No.118 of 2025, on the file of the learned Metropolitan Magistrate, Additional Court for Exclusive Trial of CCB Cases, Egmore, Chennai, to quash the same as far as these petitioners concern.

For petitioners : Mr.S.Suresh

For respondents : Mr.S.Vinoth Kumar
Government Advocate (Criminal Side)



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ORDER

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This petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in C.C.No.118 of 2025 pending on the file of the learned Metropolitan Magistrate, Additional Court for Exclusive Trial of CCB Cases, Egmore, Chennai.

2. The learned counsel for the petitioners would submit that the petitioners are arrayed as A-4, A-5, and A-8 in the final report. It is the specific case of the petitioners that they were employed as salaried employees in a company named "EPTA Technology Private Limited," which was functioning at CIT Nagar, Chennai. It is submitted that A-1 was the Senior HR, A-2 the Technical Head, A-3 the Business Development Manager, while the petitioners were holding junior positions as Testing Trainer and HR Coordinators. The learned counsel would contend that the petitioners had joined the company merely two months prior to the occurrence and were not in any way involved in the management or administration of the said company.

3. The learned counsel would further submit that the defacto complainant (L.W.1) and other witnesses (L.W.2 to L.W.26) were all informed that a training program would be conducted with a stipend and that a sum of Rs. 20,000/- was to be paid as caution deposit. The said amount was deposited in the account of the company. The learned counsel would submit that all communications and documents, including offer letters and agreements, bear the signature of A-1 alone,

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and the petitioners were neither signatories nor beneficiaries of any monetary transaction. The learned counsel contends that the petitioners were not the recipients of the caution deposit amount and have also suffered due to the sudden closure of the company. It is contended that the petitioners themselves are victims of the company's fraudulent conduct and continuation of the proceedings would amount to an abuse of process of law.

4. The learned Government Advocate (Criminal Side) opposed the petition, stating that during the investigation, it was revealed that the petitioners were involved in canvassing and collecting deposits from the victims. The statements of the defacto complainant and other witnesses suggest that the petitioners actively represented the company and induced people to pay money with the false promise of jobs. Hence, it is argued that a prima facie case is made out, and the matter should go to trial.

5. This Court has considered the rival submissions and perused the materials placed on record.

6. Though the petitioners claim to be mere employees, the statements of witnesses recorded under Section 161 Cr.P.C. indicate that the petitioners played a role in the recruitment process and made representations that led the victims to



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believe in the genuineness of the company's offer. Whether they acted with criminal intent or merely followed instructions are issues that require appreciation of evidence during trial. At this stage, the proceedings cannot be quashed solely on the ground that they were employees. Therefore, this Court is of the view that there are sufficient materials to proceed with the trial, and this is not a fit case to exercise jurisdiction under Section 482 Cr.P.C./528 BNSS to quash the proceedings. However, taking into consideration the nature of the allegations and the petitioners' status as junior-level employees, their personal appearance before the trial court is dispensed with. However, they shall appear as and when their presence is specifically required by the trial court. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

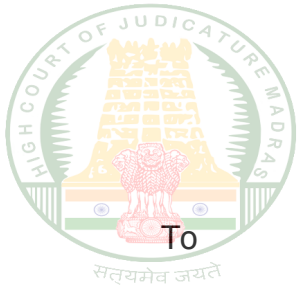
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Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No



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1. The Metropolitan Magistrate, Additional Court
for Exclusive Trial of CCB Cases, Egmore, Chennai.
2. The Inspector of Police,
Central Crime Branch, Alpha-6,
Job Rocketing Wing,
Vepery, Chennai District.
3. The Public Prosecutor, Madras High Court, Chennai.



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