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CRL OP No. 23804 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 23804 of 2025 & CrI.M.P.No.16279 of 2025

1. D.Sangeetha
W/o.Late A.S.Suresh, Aged about 40
years, 1/2F, Jayagriha Apartments,
Desika Road, Mylapore, Chennai-
600004

Petitioner(s)

Vs

1. The State, Rep. by
Inspector of Police, Central Crime
Branch, Vepery, Chennai-600007

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to Set aside the said order dated 22.07.2025 passed in CrI.M.P.No.5635 of 2025 in C.C.No.1691 of 2017 by the Learned Metropolitan Magistrate, Additional Court of CCB Cases, Egmore, Chennai and allow the petition filed Under Section 91 Cr.P.C. r/w 94 BNSS Pass such further or other orders.

For Petitioner(s): M/s.J.Suresh



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For Respondent: Mr.R.Vinodhraja,
Government Advocate [Crl.Side]

ORDER

This petition has been filed challenging the order of dismissal passed by the Metropolitan Magistrate, Additional Court of CCB Cases, Egmore, Chennai in Crl.M.P.No.5635 of 2025 filed by the petitioner to summon the final report filed in Cr.No.349 of 2013.

2. Heard both sides and perused the materials available on record.

3. The petitioner is facing trial in C.C.No.1691 of 2017 for the offences u/s.420, 465, 468, 471 read with 34 of IPC based on the complaint preferred by the Chief Manager, Bank of India, alleging that one Mr.A.Suresh availed cash credit loan of Rs.40,00,000/-, inland letter of credit loan of Rs.20,00,000/- and to avail the said loan, the said Suresh mortgaged the property belonging to his wife, the petitioner herein and the property of one Mr.D.Babu. It is seen that the petitioner herein filed a petition u/s.91 of Cr.P.C., in Crl.M.P.No.5635 of 2025 before the court below stating that her husband has committed suicide by

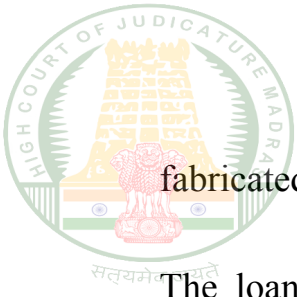


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consuming poison and prior to his death, he left behind a suicide note stating that the petitioner had no knowledge of her role in loans obtained by the petitioner's husband or financial transactions. Pursuant to which, a case in Cr.No.349 of 2013 was registered and final report had also been filed by the E1-Mylapore Police Station. Hence, the final report is a crucial document which directly supports the innocence of the petitioner. Therefore, it is necessary to summon the final report filed in Cr.No.349 of 2013. The court below, dismissed the application on the ground that the suicide note left by the deceased husband of the petitioner would no way be helpful to the case and the alleged loan was obtained on the strength of the equitable mortgage of properties standing in the name of the petitioner and the sale deeds given to the bank for the security purpose are alleged to be fabricated and forged one.

4. Heard both sides and perused the materials available on record.

5. The petitioner is facing trial in Court for the offences alleged under sections 420, 465, 468, 471 r/w.34 of IPC. The charge against the petitioner is that the husband of the petitioner availed loan from the bank by submitting



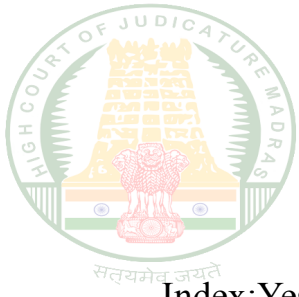
fabricated documents and for the said transaction, husband stood as a guarantor.

The loan was obtained by the husband of the petitioner by mortgaging the property belonging to the petitioner. When such being the case, whether the documents submitted for obtaining loan is fabricated or not, has to be established only on the basis of the documents executed by the parties. Even assuming that the husband of the petitioner left the suicide note stating that his wife/petitioner is no way connected with the offence, this court is unable to understand how the final report filed in that case would be relevant to prove the innocence of the petitioner.

6. In such a view of the matter, the court below has rightly come to the conclusion that the final report filed in a criminal case would no way be helpful to the case of the petitioner. Hence, I do not find any merits in the petition.

7. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

29-08-2025



Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Metropolitan Magistrate,
Additional Court of CCB Cases,
Egmore, Chennai.
2. The Inspector of Police,
Central Crime Branch, Vepery,
Chennai-600007



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N.SATHISH KUMAR J.

VRC

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