



*Crl.R.C.No.1576 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.1576 of 2025 and  
Crl.MP.No.16293 of 2025

T.Seethapathi @ Seetharaman

..... Petitioner

Vs

State rep. By  
Inspector of Police,  
CCIW-CID,  
Cuddalore District  
Cr.No.2 of 2015

..... Respondent

**PRAYER:** Criminal Revision Case is filed under Section 438 r/w 442 of BNSS, praying to set aside the order of framing of charges in CC.No.104 of 2015 dated 30.06.2016 by the learned Judicial Magistrate No.1 at Cuddalore, by allowing this revision petition.

For Petitioner : Mr.K.Jayachandiran

For Respondent : Mr.A.Gopinath,  
Government Advocate(crl.side)

**ORDER**

This Criminal Revision Case has been filed against the framing of charges in CC.No.104 of 2015 dated 30.06.2016 on the file of the Judicial Magistrate-I, Cuddalore.

2. Heard, the learned counsel appearing on either side and perused, all



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the materials placed before this Court.

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3. The case of the prosecution is that the first accused, who was the Secretary of Tamilnadu Electricity Employees and General Workers Cooperative House Building Society, conspired together with the second accused and misappropriated Rs.3,000/- without billing. On the said allegation, enquiry was conducted under Section 81 of Tamilnadu Cooperative Societies Act and submitted report. On the basis of the report, complaint was lodged and the same has been registered by the respondent in crime No.2 of 2015 for the offence punishable under Sections 403, 408, 409, 471, 477A, 120V r/w 34 of IPC. After completion of investigation, final report was filed and the same was taken cognizance by the trial court. Thereafter, charges have been framed and the petitioner is now facing trial. This criminal revision case has been filed challenging the framing of charges on the ground that the entire allegations are based on the enquiry report under Section 81 of the Tamilnadu Cooperative Societies Act. On the strength of the report, there was surcharge proceedings. In the surcharge proceedings, the petitioner had paid a sum of Rs.3,000/- on receipt No.1268. Therefore, he was exonerated from the charges in the departmental proceedings. That apart, the petitioner was a contract employee and he was working as Clerk of the society. Now he is not in the said post and as such,



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there is absolutely no material to proceed against the petitioner. Even then, the trial court mechanically framed charges and as such, this Court is inclined to interfere with the framing of charges. Accordingly, since no charge is made out against the petitioner, the petitioner is discharged from all the charges in respect of CC.No.104 of 2015 on the file of the learned Judicial Magistrate No.1 at Cuddalore. The trial court is directed to close the entire proceedings against the petitioner.

4. In the result, this criminal revision case stands allowed.  
Consequently, connected miscellaneous petition is closed.

28.08.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order  
lok

**G.K.ILANTHIRAIYAN, J.**



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- To
- 1.The learned Judicial Magistrate No.1 at Cuddalore
  - 2.Inspector of Police,  
CCIW-CID,  
Cuddalore District
  - 3.The Public Prosecutor,  
High Court of Madras

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