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Crl.O.P.No.878 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.878 of 2025

and

Crl.M.P.Nos.348 and 350 of 2025

R.Siva

... Petitioner

Vs.

1. The Sub Inspector of Police
B-4, High Court Police Station
Chennai - 600 104

2. The Commissioner
Transport Department
Transport Commissioner Office
Chepauk, Chennai - 600 005

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. /Section 528 of B.N.S.S. to quash the charge sheet dated 11.04.2022 issued by the respondent in the C.C.No.1261 of 2022 on the file of VIIth Metropolitan Magistrate Court, George Town, Chennai - 104.



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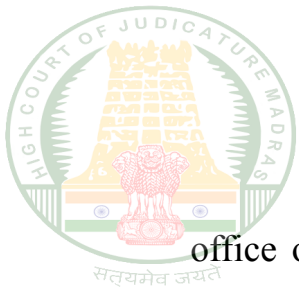
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For Petitioner : M/s.Thenmozhi Shiva Perumal
For 1st Respondent : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioner to quash the charge sheet dated 11.04.2022 issued by the 1st respondent in the C.C.No.1261 of 2022 on the file of VIIth Metropolitan Magistrate Court, George Town, Chennai - 104.

2. The case of the petitioner is that the petitioner's father namely G.Raman while he was working as an office Assistant in the Regional Transport Office, died suddenly on 15.04.2001 leaving behind the petitioner, his wife, daughter as his legal heirs. Subsequently, the petitioner obtained a job from the 2nd respondent/Transport Department on the ground of compassionate appointment with effect from 25.07.2007. At the time of appointment, the petitioner had submitted the school transfer certificate issued by the Head Masters of the Avichi Higher Secondary School, Chennai. On 11.06.2008, the



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office of the Secretary, State Transport Appellate Tribunal, Chennai issued a

charge sheet for major punishment under Rule 17(b) of the Tamil Nadu Civil Services Discipline and Appeal 1 Rules, stating that on verification of the educational qualification certificates they found that the father's name of the petitioner G.Ramu was tampered as G.Raman. Subsequently, the petitioner submitted a detailed explanation and after enquiry, the enquiry officer has given a finding stating that "the charges were not proved". While so, the Department has sent a letter to the respondent police to register FIR against the petitioner and based on the same, FIR was registered against the petitioner in FIR No.22 of 2019 for the offence under Sections 465, 471 and 420 IPC and subsequently, charge sheet was filed before the VIIth Metropolitan Magistrate, George Town, Chennai, and the same was taken on file in C.C.No.1261 of 2022. Hence, the present petition is filed to quash the charge sheet against the petitioner.

3. The contention of the petitioner is that the petitioner does not know



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what was the entry made in the school register with respect to the petitioner's

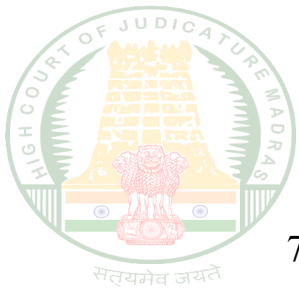
father name since at the time school admission, the petitioner was too young.

The petitioner being the son of Late G.Raman, had no necessity to tamper his father's name to obtain appointment.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the 1st respondent police and also perused the materials available on record.

5. Since no adverse order is being passed against the 2nd respondent, notice to the 2nd respondent is dispensed with.

6. Admittedly, in the petitioner's School Transfer Certificate, the petitioner's father name is mentioned as "Ramu". However, in the death certificate of the petitioner's father, it has been stated as "G.Raman" died on 15.04.2001. Even in the legal heir certificate and the family card, the petitioner's father name is mentioned as G.Raman. Except this discrepancy, there is no other discrepancy is found.



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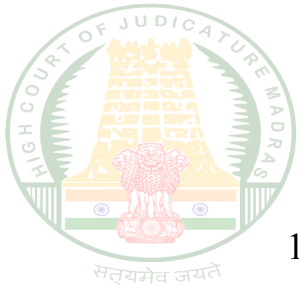
7. Admittedly, the petitioner is the son of the deceased employee of the

Transport Department. Though in the School Transfer Certificate the petitioner's father's name is mentioned as "G.Ramu", there is no material to show that the petitioner tampered the records in order to get job or because of tampering the records only, the petitioner secured the job.

8. Under these circumstances, this Court finds that continuing the criminal case against the petitioner will serve no purpose and there is no material to show that the petitioner committed criminal offence. Further, already the disciplinary proceedings initiated against the petitioner was closed by the 2nd respondent as the charges levelled against the petitioner was not proved.

9. Therefore, this Court finds that this is a fit case to quash the charge sheet.

10. Accordingly, the charge sheet filed against the petitioner in C.C.No.1261 of 2022 on the file of the VIIth Metropolitan Magistrate Court, George Town, Chennai - 104 is **quashed**.



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11. With the above observations, this Criminal Original Petition is

allowed. Consequently, connected Miscellaneous Petitions are closed.

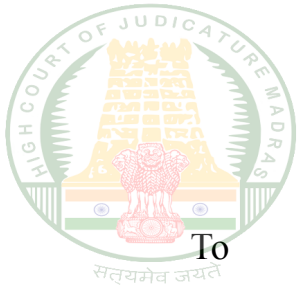
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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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1. The VIIth Metropolitan Magistrate Court,
George Town, Chennai - 104.
2. The Sub Inspector of Police
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3. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN. J.

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