



Crl.O.P.(MD)No.10956 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.10956 of 2025

and

Crl.M.P.(MD)Nos.8210 & 8211 of 2025

Thangam

... Petitioner

Vs.

1.The Inspector of Police,
Civil Supplies CID Virudhunagar,
Virudhunagar District.
(Crime No.109 of 2021)

2.Jeyapandian

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to call for the entire records pertaining to the proceedings in C.C.No.59 of 2025 pending on the file of the learned Judicial Magistrate No.I, Virudhunagar, Virudhunagar District and quash the same as far as the petitioners are concerned.

For Petitioner : Mr.D.Rajaboopathy

For R1 : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.side)



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ORDER

The petitioner, who is the 4th accused in Cr.No.109 of 2021, has filed this petition to quash the final report in C.C.No.59 of 2025 pending on the file of the learned Judicial Magistrate No.I, Virudhunagar.

2. The case of the prosecution is that on 19.08.2021, when the second respondent, who is working as Taluk Supply Officer, Sivakasi Taluk, Virudhunagar, was on routine rounds, he found that the first accused has illegally stored 34,355 kg of PDS rice in his godown. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is working as a salesman in the fair price shop and the alleged rice has been recovered from the 1st accused's godown. The petitioner is not having any relationship with A1. However, based on the confession statement of the 1st accused, he has been implicated in this case. Therefore, the learned counsel for the petitioner seeks to quash the final report.



WEB COPY 4. The learned Government Advocate(Crl.side) appearing for the first respondent submits that the petitioner is working as a salesman in the fair price shop at Sachiyapuram. The respondent Police has recovered 34,355 kg of PDS rice from the first accused. In the confession statement, the first accused has stated that he has obtained PDS rice from the fair price shop of the petitioner and also from the shop where A5 is working as salesman. Based on that statement, they have implicated the petitioner as accused. The Joint Registrar of Co-operative Societies has also conducted an enquiry and found that the rice supplied to the petitioner's shop and A5's shop was given to A1 to sell it in the open market. They have also recorded the statement from the Joint Registrar of Co-operative Societies. The petitioner and A5 have also been suspended by the Joint Registrar of Co-operative Societies. Therefore, based on the confession statement of the first accused and the statement from the Joint Registrar of Co-operative Societies, the first respondent has filed the final report as against the petitioner. According to the learned Government Advocate (Crl.side), there are enough materials available to prosecute the petitioner. In support of his contention, he has also relied upon the order of this Court in Crl.O.P.



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(MD)No.13909 of 2022 dated 14.03.2024.

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5. This Court considered the submissions made on either side.

6. Though the petitioner has raised several grounds, this Court is of the view that the grounds raised by the petitioner in this petition can be appreciated only during the trial before the trial Court. Therefore, this Court is not inclined to entertain this petition. Accordingly, this Criminal Original Petition is dismissed with liberty to the petitioner to raise all the grounds before the trial Court. Consequently, connected miscellaneous petitions are closed.

01.07.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
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- 1.The Judicial Magistrate No.I,
Virudhunagar, Virudhunagar District
- 2.The Inspector of Police,
Civil Supplies CID Virudhunagar,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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