



Crl.O.P.(MD)No.12051 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12051 of 2025
and Crl.M.P.(MD)No.9288 of 2025

Oorkali

... Petitioner

versus

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
EOW Police Station,
Tirunelveli.
2. The Deputy Registrar,
Co-operative Society,
Circle Deputy District Registrar Office,
G-911, 2nd Cross Street,
Tirunelveli.
3. The Commissioner of Police,
Tirunelveli City.

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the FIR in Crime No.3 of 2023 on the file of the 1st respondent dated 30.08.2023 and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.A.Sankara Ramasubramanian



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For Respondents : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

ORDER

The petitioner is the 46th accused in Crime No.3 of 2023 on the file of the respondent Police registered for the offence under Sections 409, 467, 468, 471, 477(A), 420 and 120B IPC. She has filed this petition to quash the FIR in Crime No.3 of 2023 registered as against her.

2. The case in Crime No.3 of 2023 has been registered as against the petitioner and 73 others. This case has been registered based on the complaint of the second respondent/the Deputy Registrar of the Co-operative Society. The allegation in the complaint is that the 1st accused, who is the Branch Manager and the 2nd accused, who is the Assistant Manager of the Tirunelveli District Central Co-operative Bank, illegally collected forged documents and forged salary certificate and thereby, created salary loan account in the name of 62 borrowers and caused loss to the Co-operative Bank to the tune of Rs.1,67,43,205/-. The allegation as against the petitioner is that she has availed a loan by producing fake certificates.



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3. The learned counsel for the petitioner submits that the petitioner has not availed any loan. However, the petitioner's aadhar card and photos have been misused by one Vijayan in the year 2021, for which, she lodged a complaint before Thatchanallur Police Station on 20.02.2021. Based on that complaint, the Thatchanallur Police has enquired the 1st accused and also registered a case as against the 1st accused and four others in Crime No.130 of 2023 on 17.03.2023 for the offence under Section 420 IPC. Therefore, according to him, the petitioner is a victim at the hands of the 1st accused and she is not a beneficiary and the forged document, if any produced in Crime No.3 of 2023, is not that of the petitioner.

4. The learned Government Advocate (Crl. Side) submits that the occurrence had taken place in the year 2019 and the enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983 was ordered and depending upon the enquiry report, the second respondent/the Deputy Registrar has lodged a complaint in the year 2023. The learned Government Advocate further submits that the materials so far collected by the investigation agency reveal that the amount has been transferred in the account of the petitioner from the Co-operative Bank. Therefore, the



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grounds taken by the petitioner cannot be correct.

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5. This Court considered the rival submissions made.

6. The petitioner claims that she has been cheated by some private persons and also by the accused No.1 in Crime No.3 of 2023. She claims that she set the law in motion by lodging a complaint in the year 2021, which has been registered on the file of the Thatchanallur Police Station in Crime No.130 of 2023. This case in Crime No.130 of 2023 is investigated by Economic Offences Wing, Tirunelveli. This is a matter for investigation. On this ground, this Court is not inclined to entertain this petition.

7. However, the petitioner is at liberty to challenge the final report, if any filed as against her. Since the petitioner claims that the criminal case has been registered on her complaint on the very same affairs in Crime No. 130 of 2023 on the file of the Thatchanallur Police Station, this Court *suo motu* impleads the Commissioner of Police, Tirunelveli City, as a party to this petition. The learned Government Advocate (Crl. Side) is directed to take notice for the newly impleaded respondent.



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8. The Commissioner of Police, Tirunelveli City, shall transfer the investigation in Crime No.130 of 2023 to the respondent Police, namely, the Inspector of Police, EOW Police Station, Tirunelveli. The respondent Police shall also consider the materials, if any collected by the investigating agency in Crime No.130 of 2023, during the course of investigation in Crime No.3 of 2023.

9. Accordingly, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is closed.

17.07.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
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To

1. The Commissioner of Police,
Tirunelveli City.
2. The Inspector of Police,
EOW Police Station,
Tirunelveli.



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3. The Deputy Registrar,
Co-operative Society,
Circle Deputy District Registrar Office,
G-911, 2nd Cross Street,
Tirunelveli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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