



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5925 of 2026

Pavithra

Petitioner(s)

Vs

1. The State Rep. By
The Inspector of Police,
CCB, Salem City Police, Salem.

2. The Special Tahsildar
Social Welfare Scheme,
Salem South Taluk, Salem District.

Respondent(s)

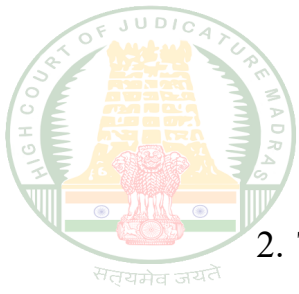
PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to call for the records in Cr.No.25 of 2023 on the file of 1st respondent and quash the same and so for against the petitioner/2nd accused and thus render justice.

For Petitioner(s): Mr.S.Ambigapathi

For Respondent(s): Mr.R.Rajasekaran
Government Advocate (Crl. Side)
for R1

ORDER

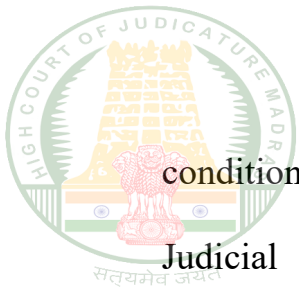
This Criminal Original Petition has been filed to call for the records pertaining to Cr.No.25 of 2023 on the file of 1st respondent and quash the same as against the petitioner/2nd accused.



2. The petitioner, who is arrayed as A2 in Crime No.25 of 2023 for the offences under Section 403 and 420 of IPC, has filed the present petition seeking to quash the FIR.

3. The learned counsel for the petitioner contended that there are three accused in the case and that the petitioner has been falsely implicated. Even according to the counter filed by the respondent/complainant, the accused are Shanthi (A1), the petitioner (A2) and Madammal (A3). It is submitted that the petitioner had completed the General Nursing and Midwifery Course and was entitled to receive a stipend of Rs.600/- per month from the Government. During an audit conducted by the Office of the State Auditor, Chennai, it was detected that a sum of Rs.23,39,861/- had been wrongly credited to the petitioner's Bank account bearing No.6188751233 maintained with Indian Bank, Veerapandi Branch. According to the petitioner, it was an error purely committed by the Bank and that the petitioner had no role in the said transaction.

3.1. The learned counsel further submitted that the petitioner had filed an anticipatory bail petition before this Court in Crl.O.P.No.19159 of 2023. By order dated 22.08.2023, this Court granted an anticipatory bail subject to the



condition that the petitioner deposit a sum of Rs.7,61,348/- before the learned Judicial Magistrate No.4, Salem. The petitioner complied with the said condition. It is further submitted that, a sum of Rs.13,00,000/- was recovered from the petitioner and that an amount of Rs.2,78,513/- lying in the petitioner's bank account was frozen. Thus, according to the petitioner, the entire amount of Rs.23,39,861/- has already been recovered. Therefore, nothing survives for further prosecution and the FIR in Crime No.25 of 2023 is liable to be quashed.

4. Mr.R.Rajasekaran, learned Government Advocate (Crl. Side) appearing for the first respondent submitted that, the respondent has filed a detailed counter giving all the particulars relating to the amount wrongly credited to the petitioner's account. Though the petitioner deposited a sum of Rs.7,61,348/- pursuant to the conditional order passed in the anticipatory bail petition and certain amounts were also recovered from the petitioner's bank account, the allegations disclose a case of misappropriation. The contentions raised by the petitioner cannot be accepted at the face value. It is also submitted that the investigation has been completed and the charge sheet has been filed against all the three accused, citing 38 witnesses including Bank officials and other witnesses.

5. Heard the learned counsel for the petitioner and the learned



Government Advocate (Crl.Side) appearing for the first respondent and also perused the materials available on record.

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6. Considering the above submission made by the learned counsel on either side and upon perusal of the materials available on record, it is seen that the investigation has been completed and the final report has already been filed through e-filing Nos.LTN20220002619, LTN20220002619 C 202600014. In such circumstances, this Court is not inclined to entertain the present Criminal Original Petition.

7. Accordingly, this Criminal Original Petition stands dismissed.

05-06-2026

Jd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Inspector of Police,
CCB, Salem City Police, Salem.

2.The Special Tahsildar
Social Welfare Scheme,
Salem South Taluk, Salem District.

3. The Public Prosecutor, High Court of Madras.



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M.NIRMAL KUMAR J.
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