

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16-06-2026

CORAM

THE HON'BLE MR JUSTICE R.VIJAYAKUMAR

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CRL OP(MD) No. 6846 of 2025

and

CRL MP(MD) No. 5008 of 2025

Muthulakshmi,
W/o.Arunachalam,
Cashier,
Unjalamman Bharath Gas Agency,
Nearby Uthya Nursing Home,
Theni.

..Petitioner(s)

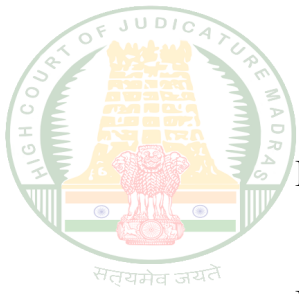
Vs

1. The State of Tamilnadu
Rep. by The Inspector of Police,
District Crime Branch,
Theni District.
(In Crime No.15 of 2024)

2. Rajarathinam
S/o.Sethu,
73, Unjalamman Kovil Street,
Unjalapatti,
Theni Taluk,
Theni District.

..Respondent(s)

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in FIR in Crime No.15 of 2024 on the file of the 1st respondent Police and quash the same as arbitrary and illegal insofar as the petitioner / accused No.3 is concerned.



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For Petitioner(s):

Mr.P.Senguttuarasan,
Advocate

For Respondent(s):

Mr.P.Samuel Gunasingh,
Counsel for State of TN (Criminal Side) for R1

Mr.K.Appadurai,
Advocate for R2

ORDER

The present Criminal Original Petition has been filed by the third accused in Crime No.15 of 2024 on the file of the first respondent police, wherein the petitioner is alleged to have committed offences under Sections 406, 420, 120B, 294(b), and 506(2) of IPC.

2. A perusal of the records reveals that the de-facto complainant is said to have entered into the partnership deed with the other accused persons for the purpose of running a Bharath Petroleum Corporation Limited (BPCL) unit. The petitioner is also said to have invested a huge sum of money. Later, the other accused persons are said to have not taken the petitioner as a partner with the approval of the BPCL. Therefore, the present complaint has been lodged.

3. According to the de-facto complainant, the petitioner has cheated him to an extent of around Rs.1,00,00,000/- (Rupees One Crore only).



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4. The learned counsel for the petitioner submitted that the petitioner is a cashier and a salaried employee of the Gas Agency. Therefore, she has nothing to do with the dispute between the de-facto complainant and the other accused persons.

5. Heard the learned counsel appearing on either side and perused the material available on record.

6. As could be seen from the charge sheet, the third accused is only a salaried employee of the Bharat Gas Agency and has nothing to do with the money transaction between the other accused persons and the de-facto complainant.

7. In the said circumstances, the continuation of the criminal proceedings against the petitioner would amount to an abuse of the process of law. Therefore, the First Information Report in Crime No.15 of 2024 on the file of the first respondent police is quashed insofar as the petitioner/third accused is concerned.



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8. Accordingly, this Criminal Original Petition is allowed. Consequently,
the connected Criminal Miscellaneous Petition is closed.

16-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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CRL OP(MD) No. 6846 of 2



R.VIJAYAKUMAR, J.

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To

- 1.The Inspector of Police,
District Crime Branch,
Theni District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

**CRL OP(MD) No. 6846 of 2025
and
CRL MP(MD) No. 5008 of 2025**

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