



CrI.RC(MD)No.1105 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.01.2026

CORAM:

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

CrI.R.C.(MD)No.1105 of 2025

and

CRL.M.P(MD)No.11065 of 2025

C.Panchangam

... Petitioner

Vs.

The State of Tamil Nadu through,
The Inspector of Police,
CCIW, Virudhunagar,
Virudhunagar District.
In Crime No.(01/2019)

... Respondent

Prayer: Criminal Revision Case filed under Section 438 and 442 of BNSS, to call for the records pertaining to the order dated 02.07.2025 made in CrI.M.P.No.2453 of 2020 in C.C.No.231 of 2019 passed by the Judicial Magistrate No.2, Virudhunagar, Virudhunagar District and set aside the same by allowing the above Revision Petition.

For Petitioner : Mr.S.Ramasamy

For Respondent : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

The present criminal revision petition is filed challenging the order dated 02.07.2025 passed by Judicial Magistrate No.2, Virudhunagar, Virudhunagar District in CrI.M.P.No.2453 of 2020 in C.C.No.231 of 2019, whereby discharge petition filed by petitioner was rejected.

2. Brief facts of the case are that petitioner, arrayed as Accused No. 2, was serving as Secretary in-charge of Q-837 Muhavoor Primary Agricultural Co-operative Thrift Society from 01.04.2016 to 21.09.2016. Eighteen Fair Price Shops were functioning under the control of the said Society and the head office was situated at Srivilliputhur. It was the established practice that empty gunny bags collected from Fair Price Shops were forwarded to the head office and duly accounted for in the stock register maintained there. During the relevant period, approximately 58,930 empty gunny bags and 2,000 empty sugar gunny bags were shown as available in the stock register at the head office. Subsequently, on 27.10.2016, the Joint Action Committee of the Society resolved to dispose of the gunny bags through public auction. Open tenders were invited and



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one Sadaiyappar emerged as the highest bidder, which is not in dispute.

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3. It is further submitted that pursuant to auction proceedings, gunny bags ought to have been sold to the highest bidder, namely Sadaiyappar. However, the petitioner, in collusion with the first accused, Periyaandavar, allegedly sold the said gunny bags in the open market for a total sum of Rs.6,10,155/-. It is alleged that the said amount was not remitted to the credit of the Society and that the petitioner fabricated and forged bogus bills and invoices to misappropriate the aforesaid sum. Based on the audit report, the respondent registered a case in Crime No.1 of 2019 for the offences punishable under Sections 408, 409, 465, 466, 471, 477-A and 120-B of the Indian Penal Code.

4. Aggrieved, petitioner filed a discharge petition before the Trial Court. However, the said discharge petition was dismissed by the Trial Court on the premise that accounts were found to have been interpolated and made to appear as though certain sums were due from one M. Selvaraj.



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5. At this stage, it is relevant to note that gunny bags were allegedly sold by petitioner, along with Periyaandavar to M.Selvaraj after receiving a sum of Rs.6,10,155/-, which was not remitted to the Society.

6. In fact, although the name of Sadaiyappar was initially entered in Sale Register, same was allegedly erased using whitener and replaced with the name of M. Selvaraj. The Trial Court, upon considering these aspects, found that such issues are matters for trial and require appreciation of evidence, and therefore rejected the discharge petition.

7. The learned Additional Public Prosecutor appearing for respondent submitted that discharge petition was misconceived, as the issues raised are purely factual in nature and can only be determined through a full-fledged trial by adducing evidence. It was further contended that the allegations prima facie satisfy the ingredients of the offences for which petitioner has been charged, and therefore, the order passed by Trial Court does not call for any interference.



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8. Heard learned counsel on either side and perused the materials available on records.

9. This Court finds merit in the submission of the learned Additional Public Prosecutor that the allegations of misappropriation and fabrication of bogus bills and invoices are supported by prima facie materials and, therefore, warrant a full-fledged trial.

10. In that view of the matter, this Court is not inclined to entertain the criminal revision. Accordingly, criminal revision petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

22.01.2026

NCC :yes/No
Index :yes/No
Internet:yes/No
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MOHAMMED SHAFFIQ, J.

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To

1. The Judicial Magistrate No.2, Virudhunagar, Virudhunagar District
2. The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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