

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2017

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.R.C.No.1573 of 2016

and

Crl.M.P.No.12877 of 2016

Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit,
Chennai - 77.

.. Petitioner

Vs.

1.K.Bala

S/o.Late Kondeswara Roa

2.Thameem Anwar

S/o.Mohammed Yusuf

3.Mohammed Zahir

S/o.Late Muthu Mohammed

4.B.V.Jeevankumar

S/o.Late Venkateswarlu Bothala

.. Respondents

Criminal Revision Case filed under Section 397 and 401 Cr.P.C. against the order of learned I Additional Special Judge for NDPS Act Cases, Chennai, passed in S.R.No.2057 of 2016 in C.C.No.28 of 2016 on 11.11.2016.

For Petitioner

: Mr.N.P.Kumar

Special Public Prosecutor

For Respondent

: Mr.R.Vijaya Kumar [R1 to R3]

Mr.G.Murugendran [R4]

O R D E R

This revision arises against the order of learned I Additional Special Judge for NDPS Act Cases, Chennai, passed in S.R.No.2057 of 2016 in C.C.No.28 of 2016 on 11.11.2016.

2. Petitioner/complainant preferred a complaint against respondents/ accused alleging illegal possession of

Methamphetamine. The complaint was taken on file in C.C.No.28 of 2016 on the file of learned I Additional Special Judge for NDPS Act Cases, Chennai. Petitioner/complainant moved S.R.No.2057 of 2016 in C.C.No.28 of 2016 towards including additional documents recovered from A4's residence along with other documents and material objects on file and to proceed against A4. Court below, under the impugned order, rejected such memo. Challenging the same, the present revision has been filed.

3. Heard learned Special Public Prosecutor for petitioner and learned counsel for respondents.

4. On a perusal of the impugned order, this Court finds that Court below has rejected the memo on the reasoning that nowhere in the complaint, it was mentioned that a search was conducted on 31.12.2015 in the residence of A4, mahazar was prepared and 21 documents/materials were recovered. Even in Annexure-II, nothing was mentioned that NCB, Chennai office has instructed the NCB, Hyderabad Office, to conduct a search in the residence of A4. Court below further has observed that the memo did not inform 'who misplaced the records, who found the records and when it was found out'. This Court finds absolutely no error in the order of the Court below above informed.

The Criminal Revision Case shall stand dismissed. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm
To

The I Additional Special Judge for NDPS Act Cases,
Chennai.

2 The Intelligence Officer, Narcotics Control Bureau,
Chennai Zonal Unit, Chennai 77

+2cc to Mr.R. Vijayakumar, Advocate, S.R.No.6495

NR II (CO)
md(25/04/2017)

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