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Crl.R.C.No.1008 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated **26.06.2023**

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.R.C.No.1008 of 2023

M.Soundararajan

... Petitioner

Vs.

The Deputy Superintendent of Police,
Economic Offence Wing-HQRS,
Ashok Nagar, Chennai – 600 083.

... Respondent

Prayer: Criminal Revision Petition filed under Section 397 read with 401 of Cr.P.C to call for the entire records in connection with the Order passed in Crl.M.P.No.2056 of 2023 on 06.06.2023 by the learned Special Judge for TNPID Act, Chennai and set aside the same as illegal and consequently enlarge the petitioner on statutory bail under section 167 [2] Cr.P.C. in Crime No.21 of 2022 on the file of the respondent.

For Petitioner : Mr.R.John Sathyan, Senior Counsel
for Mr.R.S.Mangala Kumar

For Respondent : Mr.Babu Muthu Meeran,
Additional Public Prosecutor



Crl.R.C.No.1008 of 2023

ORDER

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This Criminal Revision Case has been filed to set aside the Order passed in Crl.M.P.No.2056 of 2023 on 06.06.2023 by the learned Special Judge for TNPID Act, Chennai and set aside the same as illegal and consequently enlarge the petitioner on statutory bail under section 167 [2] Cr.P.C. in Crime No.21 of 2022 on the file of the respondent.

2. The learned counsel for the petitioner submitted that the respondent police registered a case in Crime No.21 of 2022 for the offences under sections 120[b], 409, 420 read with 109 and 34 of IPC and Section 5 of TNPID Act 1997 and Sections 21 [3], 22, 23, 24 and 25 of BUDS Act. The learned counsel for the petitioner further submitted that since the final report is not fully filed before the trial Court, the petitioner filed a petition seeking statutory bail and the same has been dismissed by the trial Court. Hence, seeks to set aside the impugned and release the petitioner on statutory bail.



Crl.R.C.No.1008 of 2023

WEB COPY

3. In pursuance of the representation of the learned counsel for the petitioner, remarks has been called for from the concerned Court. The learned Judge submitted the remarks on 26.06.2023 and in the report, it is stated that final report has been filed on 17.05.2023 within 90 days and on 05.06.2023, the Investigating Officer produced the subsequent documents. It is further stated that on the date of hearing of the bail petition filed by the petitioner, the entire charge sheet and connected records have been filed.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and perused the records.

5. The respondent police registered a case in Crime No.21 of 2022 for the offences under sections 120[b], 409, 420 read with 109 and 34 of IPC and Section 5 of TNPID Act 1997 and Sections 21 [3], 22, 23, 24 and 25 of BUDS Act. The petitioner filed a petition seeking statutory bail before the trial and the same was dismissed on the ground that the charge sheet has been filed by the respondent police. On a perusal of the report sent by the trial Court, it is noticed that on the date of deciding the bail



Crl.R.C.No.1008 of 2023

WEB COPY

petition on 06.06.2023, the final report has been fully filed and it was not returned. Since the final report has been filed, the petitioner is not entitled for statutory bail.

6. Accordingly, this Criminal Revision is dismissed.

26.06.2023

Index:Yes/No

vrc

To

1. The Special Judge for TNPID Act, Chennai.
2. The Deputy Superintendent of Police,
Economic Offence Wing-HQRS, Ashok Nagar, Chennai – 600 083.
3. The Public Prosecutor, High Court, Chennai.



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Crl.R.C.No.1008 of 2023

V.SIVAGNANAM, J.

vrc

Crl.R.C.No.1008 of 2023

26.06.2023