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Crl.R.C.No.62 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2024

CORAM:

THE HON'BLE MR.JUSTICE **M. NIRMAL KUMAR**

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N.Syed Khaleel Ahmed
Manager,
representing 'Premium Lifestyle &
Fashion India Private Limited' (PLFIPL),
No.37/88, Fakkir Sahib Street, 1st Lane,
Triplicane, Chennai – 600 005.

... Petitioner

Vs.

1.The Commissioner of Police,
Commissioner Office,
Vepery,
Chennai – 600 007.

2.The Sub Inspector of Police,
Central Crime Branch,
EDF-II, Team-IV,
Vepery, Chennai – 600 007.

3.The Sub Inspector of Police (Crime),
D-2. Anna Salai Police Station,
Anna Salai, Chennai.

... Respondents

PRAYER: Criminal Revision Case filed under Section 397 r/w 401 of
Cr.P.C to set aside the impugned order dated 13.12.2023 made in



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Crl.M.P.No.49551 of 2023 on the file of the Hon'ble II Metropolitan Magistrate, Egmore and direct the respondents to register the complaint of the petitioner pending on the file of the respondents.

For Petitioner : Mr.R.Amardeep

For Respondents : Mr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

This revision has been filed to set aside the impugned order dated 13.12.2023 made in Crl.M.P.No.49551 of 2023 on the file of the II Metropolitan Magistrate Court, Egmore, Chennai and direct the respondents to register the complaint of the petitioner pending on the file of the respondents.

2.The petitioner filed a complaint under Section 156(3) of Cr.P.C. before the learned II Metropolitan Magistrate, Egmore, Chennai in Crl.M.P.No.49551 of 2023 seeking a direction to register the F.I.R. on the petitioner's complaint. It is seen that by order dated 13.12.2023, the learned II Metropolitan Magistrate, Egmore, Chennai returned the complaint on



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pecuniary jurisdiction, for representation before appropriate Court. As per the complaint, the amount misappropriated is around Rs.56,00,000/-. As per the standing order No.21/2023 in Rc.No.Crime III(1)/216/63682/2023 dated 10.10.2023 of the Director General of Police and Commissioner of Police, Greater Chennai, Vepery, if the misappropriated amount is more than Rs.50 lakhs, the same to be enquired by the Central Crime Branch (CCB) and the CCB which is not within the jurisdiction of the learned II Metropolitan Magistrate, Egmore. As per Section 190 of Cr.P.C., the learned II Metropolitan Magistrate, Egmore is not the empowered Magistrate.

3.The learned Government Advocate (Crl. Side) submitted that there is a Special Court for CCB and CBCID Cases at Egmore, before which, the complaint has to be represented as per the order of learned II Metropolitan Magistrate, Egmore, Chennai dated 13.12.2023.

4.The learned counsel for the petitioner submitted that now e-filing is implemented and after return of the petitioner's complaint it was attempted



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to be represented in the e-filing centre to submit the complaint before the Special Court for CCB and CBCID Cases but the same was not entertained and the Sheristadar therein informed that there is no provision in e-filing portal to accept such representation.

5.The specific order of the learned II Metropolitan Magistrate, Egmore, Chennai is that the petitioner to represent the complaint before the appropriate Court. In this case, as per Section 190 of Cr.P.C., the appropriate Court is Special Court for CCB and CBCID Cases, Egmore, Chennai.

6.In view of the above, the Registry of Chief Metropolitan Magistrate Court, Egmore, Chennai is directed to receive the complaint of the petitioner and transfer the same to the file of jurisdictional Court, viz., The Special Court for CCB and CBCID Cases, Egmore, Chennai. The Special Court for CCB and CBCID Cases, Egmore, Chennai is directed to consider the same on its own merits and in accordance with law.



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7. With the above directions, this Criminal Revision Case is disposed

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Index : Yes/No
Internet : Yes/No
Speaking order / Non-speaking order
Neutral citation: Yes/No
rsi

To

1. The Commissioner of Police,
Commissioner Office,
Vepery, Chennai – 600 007.
2. The Sub Inspector of Police,
Central Crime Branch,
EDF-II, Team-IV,
Vepery, Chennai – 600 007.
3. The Sub Inspector of Police (Crime),
D-2. Anna Salai Police Station,
Anna Salai, Chennai.
4. The II Metropolitan Magistrate,
Egmore, Chennai.
5. The Chief Metropolitan Magistrate,
Egmore, Chennai.



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M. NIRMAL KUMAR, J.

rsi

6.The Special Judge,
Special Court for CCB and CBCID Cases,
Egmore, Chennai.

7.The Public Prosecutor,
High Court, Madras.

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19.01.2024