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Crl.R.C.No.1562 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2024

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.1562 of 2024

Celestine Anugwa

... Petitioner

Vs.

U.O.I, Rep, By.,
Intelligence Officer,
NCB,
Chennai-77.

... Respondent

PRAYER: Criminal Revision Petition filed under Sections 438 r/w 442 of BNSS, to call for the records relating to the order dated 16.04.2024 passed in Crl.M.P.No.3070 of 2024 in R.R.No.24/2023, pending before the Principal Special Court for Exclusive Trial of Cases under NDPS Court at Chennai and set aside the same by allowing the Revision Petition.

For Petitioner : Mr.S.Praveennath

For Respondent : Mr.N.P.Kumar,
Special Public Prosecutor for NCB



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ORDER

This revision challenges the dismissal of the petitioner's application in Crl.M.P.No.3070 of 2024 for statutory bail under Section 167(2) of Cr.P.C.

2.The learned counsel for the petitioner would submit that though the prosecution claims that the complaint was filed on the 174th day, the case was numbered one month later; and that therefore it has to be taken that the complaint was not filed within the statutory period.

3.The learned Special Public Prosecutor *per contra* had filed a counter stating that the complaint was filed on 26.02.2024 *i.e.*, on the 174th day after the FIR was registered; and that on the very next day, the physical copy of the complaint was filed and case number was also assigned as C.C.No.203 of 2024.

4.The learned Judge had recorded the fact that the complaint was filed on 26.02.2024. The learned counsel for the petitioner was unable to point



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out any infirmity in the said finding of the learned Judge. However, the only submission of the learned counsel for the petitioner is that the case was numbered one month thereafter and therefore the petitioner is entitled to statutory bail. The date of the filing of the complaint is relevant for the purpose of deciding the petition seeking statutory bail.

5.In view of the fact that the complaint was filed on 26.02.2024, this Court is of the view that there is no infirmity in the impugned order, dated 16.04.2024 in Crl.M.P.No.3070 of 2024 passed by the learned Principal Special Judge, Principal Special Court under EC & NDPS Act, Chennai and the same is hereby confirmed.

6.Accordingly, this Criminal Revision Case stands dismissed.

21.11.2024

Index:Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No

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SUNDER MOHAN, J.

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To

- 1.The Principal Special Judge,
Principal Special Court under EC & NDPS Act,
Chennai.
- 2.The Intelligence Officer,
U.O.I, NCB,
Chennai-77.
- 3.The Special Public Prosecutor,
Madras High Court.

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