



Crl.R.C.No.118 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.04.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.R.C.No.118 of 2025

and

Crl.M.P.Nos.1048 and 1049 of 2025

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B.Sathyanarayanan,
S/o Babu Janarthanan

.. Petitioner

Vs.

1. State,
The Inspector of Police,
Central Crime Branch,
Land Grabbing Special Cell-I,
Vepery, Chennai-600 007.
(Ref.Crime No.624 of 2012,
dated 24.12.2022
u/s 420, 467, 468, 471, 506 (ii) and 120-B IPC)

2. M/s.VGN Projects Estates Pvt. Ltd.,
duly rep by Deputy General Manager
Mr.A.Rangappan, S/o Mr.Ayyappan,
No.17, Ayyovoo Colony, Aminjikarai,
Chennai-600 029.
(R-2 - de-facto complainant, suo motu
impleaded as per order dated 24.01.2025
in Crl.R.C.No.188 of 2025)

.. Respondents

Criminal Revision Case filed under Section 438 read with Section 442 of
B.N.S.S./Section 397 read with Section 401 Cr.P.C. praying to call for the

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records and set aside the order of framing charges dated 22.10.2024 in C.C.No.5083 of 2023 on the file of the XXV Metropolitan Magistrate, Egmore, Chennai.

For petitioner : Mr.B.A.Sujay Prasanna and Mr.A.Ashok Kumar

For respondents: Mr.S.Sugendran, Addl.P.P. for R-1

Mr.A.Nagarajan for R-2

ORDER

This revision petition is filed by A.2 praying to call for the records and set aside the order of framing charges dated 22.10.2024 in C.C.No.5083 of 2023 on the file of the XXV Metropolitan Magistrate, Egmore, Chennai.

2. The first respondent-Police had registered a case against the petitioner in Crime No.624 of 2012 , dated 24.12.2012 for the offences under Sections 420, 467, 468, 471, 506 (Part-2) and 120-B IPC. After investigation is over, the first respondent-Police laid charge-sheet before the 25th Metropolitan Magistrate, Egmore, Chennai, which was taken on file in C.C.No.5083 of 2023. The learned Magistrate, after serving notice on the parties, framed charges against the revision petitioner/A2 and other accused, and challenging the framing of charges, the present revision petition is filed by A2.

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3. Learned counsel for the revision petitioner submitted that this Court, earlier, set aside the charges framed by the trial Court and directed the Magistrate to frame fresh charges and thereafter, the trial Court, without considering the direction of this Court, once again framed charges in ditto (verbatim) already framed and therefore, once again the revision petitioner has filed the present revision petition.

4. Learned counsel for the second respondent (de-facto complainant) submitted that, already, the case was transferred to the trial Court and therefore, that Court may take care of it and charges can be altered/amended at any stage of criminal proceedings.

5. Heard both sides and perused the materials available on record.

6. It is seen from the records that, already, this Court had set aside the charges earlier framed by the trial Court and gave a direction to frame charges afresh, but once again, the trial Court framed the charges "ditto" (verbatim) framed earlier. The trial Court failed to consider the direction given by this Court in letter and spirit before framing the charges.

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WEB COPY 7. Hence, the impugned order dated 22.10.2024 passed in C.C.No.5083 of 2023 on the file of the XXV Metropolitan Magistrate, Egmore, Chennai, is set aside. The trial Court is directed to consider the materials available on record and frame fresh charges in accordance with law, after following Chapter-17 of the Criminal Procedure Code.

8. Accordingly, this revision petition is allowed. The miscellaneous petitions are closed.

23.04.2025

(1/2)

CS

To

1. The Inspector of Police,
Central Crime Branch,
Land Grabbing Special Cell-I,
Vepery, Chennai-600 007
2. XXVth Metropolitan Magistrate, Egmore, Chennai.
3. The Public Prosecutor, High Court, Madras.

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P.VELMURUGAN, J

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