



Crl.RC.No.1237 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 29.07.2025

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.RC.No.1237 of 2025

Bharat Kumar Surana
S/o. Milap Chand Surana,
Surana House,
No.9 & 10, Sivanandam Colony,
Korattur, Chennai – 80.

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Vs.

Petitioner

1. Assistant Commissioner of Police,
O/o. The Commissioner of Police Office,
Conventional Crime, Team 19,
Central Crime Branch,
Greater Chennai Police,
Vepery, Chennai – 600 007.

2. Inspector of Police,
O/o. The Commissioner of Police Office,
Conventional Crime, Team 19,
Central Crime Branch,
Greater Chennai Police,
Vepery, Chennai – 600 007.

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Respondents

Prayer: Criminal Revision is filed under Section 438 r/w. 442 of BNSS, 2023, to set aside the order passed in Crl.M.P.No.17479/2021 in C.C.No.3105 of 2020 dated 07.02.2024 on the file of Hon'ble Metropolitan Magistrate, Egmore, Chennai,(Additional Court for exclusive trial of cases registered and investigated by CCB greater Chennai Police) and restore the above petition.

For Petitioner : Mr.R.Ramachandran



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For Respondent : Mr.A.Gopinath
Govt. Advocate (Crl.side)

ORDER

This Criminal Revision has been preferred as against the order passed in Crl.M.P.No.17479/2021 in C.C.No.3105 of 2020 dated 07.02.2024 on the file of learned Metropolitan Magistrate, Egmore, Chennai, (Additional Court for exclusive trial of cases registered and investigated by CCB Greater Chennai Police), thereby dismissing the petition for default.

2. The petitioner is the complainant. On his complaint the second respondent has registered a FIR in Cr.No.430/2011. After completion of investigation final report has been filed. However, not being satisfied with the same, the petitioner has filed a petition under Section 173(8) of Cr.P.C. for further investigation. As the petitioner failed to appear before the trial court on 07.02.2024, the Trial Court dismissed the petition for default. Aggrieved by the same, the present revision has been filed.

3. Considering the facts and circumstances of the case, this Court is of the view that the petitioner may be given with one more opportunity to put forth his case before the Trial Court as the STC is of the year 2020.



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WEB COPY 4. In view of the above, the order dated 07.02.2024 made in Crl.M.P.No.17479/2021 in C.C.No.3105 of 2020 on the file of learned Metropolitan Magistrate, Egmore, Chennai, (Additional Court for exclusive trial of cases registered and investigated by CCB Greater Chennai Police), is hereby set aside. The Trial Court is directed to issue fresh summons to the parties and proceed proceed with the trial. The appellant shall co-operate with the Trial Court for the expeditious disposal of the case.

5. In the result, this Criminal Revision stands allowed.

29.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To:

1.The Metropolitan Magistrate, Egmore, Chennai,(Additional Court for exclusive trial of cases registered and investigated by CCB greater Chennai Police).

2.Assistant Commissioner of Police,
O/o. The Commissioner of Police Office,
Conventional Crime, Team 19,
Central Crime Branch,
Greater Chennai Police,
Vepery, Chennai – 600 007.

3. Inspector of Police,
O/o. The Commissioner of Police Office,
Conventional Crime, Team 19,
Central Crime Branch,
Greater Chennai Police,
Vepery, Chennai – 600 007.

4. The Public Prosecutor,
Madras High Court.

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