



Crl.RC.No.1238 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.1238 of 2025**  
**and Crl.M.P.No.14617 of 2025**

1. K.T.Anbazhagan  
2. A.Kesavan  
3. A.N.Sekar

.....

Vs.

Petitioners

1. Mrs.Malligeswari

2. The State rep. by  
The Inspector of Police,  
Vaniyambadi Taluk Police Station,  
Vaniyambadi.

3. District Crime Branch,  
Tirupattur District,  
Tirupattur. ....

Respondents

**Prayer:** Criminal Revision is filed under Section 438 r/w. 442 of BNSS, 2023, to call for the records and set aside the order dated 27.03.2025 made in Crl.M.P.No.3596 of 2024 on the file of the Judicial Magistrate, Vaniyambadi.

For Petitioner : Mr.S.Naveen Kumar

For Respondent : Mr.A.Gopinath  
Govt. Advocate (Crl.side) for R2 & R3



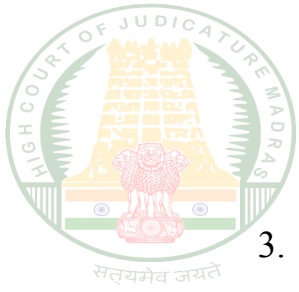
Mr.P.Dinesh Kumar for R1

**ORDER**

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This Criminal Revision has been preferred as against the order dated 27.03.2025 made in CrI.M.P.No.3596 of 2024 on the file of the Judicial Magistrate, Vaniyambadi, thereby ordered further investigation by the third respondent.

2. On a complaint lodged by the first respondent, the second respondent registered a FIR in Cr.No.164 of 2022 for the offences punishable under Sections 120B, 465, 467, 477A and 409 of IPC. As directed by this Court the second respondent completed the investigation and filed final report stating that all the allegations are “civil in nature” and closed the FIR. Aggrieved by the same, the first respondent filed a protest petition and also sought for further investigation under Section 173(8) of Cr.P.C. The learned Judicial Magistrate, Vaniyambadi vide order dated 27.03.2025 in CrI.M.P.No.3596/2024 allowed the petition and also directed the third respondent herein to conduct further investigation and file final report if any. Aggrieved by the same, the present revision.



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3. The learned counsel for the petitioners would submit that the petitioners are arrayed as accused in this case. Though the learned Magistrate has got power to order further investigation, he has no power or authority to change the investigation agency.

4. In support of his above contention the learned counsel for the petitioner relied upon the judgment of the Hon'ble Supreme Court in the case of ***Chandra Babu alias Moses Vs. State through Inspector of Police and others*** reported in ***(2015) 8 SCC 774*** in which it has been held that the learned Magistrate could not direct another investigating agency to investigate as that would not be within the sphere of further investigation and in any case, the Magistrate does not have the jurisdiction to direct reinvestigation by another agency.

5. On perusal of the records reveals that the amount involved in this crime is more than Rs.5 Lakh i.e. Rs.48 Lakh and odd. The second respondent has jurisdiction to investigate the cases involving amounts not exceeding Rs.5 lakh. Further, the learned Magistrate found that there are ingredients to attract the offenses and as such he has rightly ordered for further investigation to be



done by the third respondent as the second respondent has got the pecuniary jurisdiction to the limit of Rs.5 Lakh. The third respondent has got jurisdiction to investigate the cases involving amounts exceeding Rs.5 Lakh. That apart, the petitioners being the accused, have no say to interfere with the investigation. Hence, the judgment cited by the learned counsel for the petitioner is not helpful to the case on hand. This Court finds no illegality or infirmity in the order passed by the trial Court.

5. In the result, this Criminal Revision Case is dismissed. Connected miscellaneous petition is closed.

29.07.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order  
bkn



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1. The Judicial Magistrate, Vaniyambadi

2. The Inspector of Police,  
Vaniyambadi Taluk Police Station,  
Vaniyambadi.

3. District Crime Branch,  
Tirupattur District,  
Tirupattur.

4. The Public Prosecutor,  
Madras High Court.



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**G.K.ILANTHIRAIYAN, J.**

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