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CRL RC No. 1647 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 1647 of 2025

1. Anil Kumar

S/o. M.John Bosco, No. 8-2, 19/8/1, Sri
Krishna Nagar, Chinthalkunta, 1b
Nagar, Hyderabad - 500070, Mobile
No. 91000 39465, Currently Residing
at, No.11/51, Kannagi 2nd Street,
Venkat Raman Nagar, Korattur,
Chennai. 600080.

Petitioner(s)

Vs

1. The Commissioner of Police,
Central Crime branch, Greater Chennai
Police, No. 132, Commissioner office
Building, EVK Sampath Road, Vepery,
Chennai- 600007.

2. Assistant Commissioner of Police,
E3, Teynampet Police Station, 494,
Anna Salai, JJ Nagar, Teynampet,
Chennai, Tamilnadu - 600006.



3. Inspector of Police,
E3, Teynampet Police Station, 494,
Anna salai, JJ Nagar, Teynampet,
Chennai, Tamilnadu - 600006.

Respondent(s)

PRAYER

Criminal Revision Petition filed under Section 438 r/w Section 442 of BNSS Act, 2023, praying to set aside the impugned order dated 26.03.2024 passed in CrI.MP.No.5239/2024 on the file of the Learned XVIII Metropolitan Magistrate, Saidapet, Chennai.

For Petitioner(s): R.Prabhakaran

For Respondent(s): Mr.Dr.C.E.Pratap
Government Advocate (CrI.Side)

ORDER

The petitioner has filed this petition to set aside the impugned order dated 26.03.2024 passed in CrI.MP.No.5239/2024 on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai.

2. The learned counsel for the petitioner submitted that the petitioner had preferred a private complaint before the trial Court under Section 156(3) of



Cr.P.C., seeking a direction to the respondent to register a case and investigate the complaint and initiate proceedings against the accused for committing fraud and cheating. It was contended that the accused had cheated the petitioner by entering into a fraudulent franchise agreement, under which the petitioner, believing their representations, paid a sum of Rs.60,00,000/- (his hard-earned money) to Accused Nos.1 to 3. The accused, with an intention to defraud, not only executed the said franchise agreement but also adopted the same tactics with other investors. Despite the petitioner's complaint, the police failed to take action. Therefore, the petitioner lodged a private complaint supported with material evidence. However, the learned trial judge dismissed the application. Aggrieved by the said findings, the present application has been filed.

3. The learned counsel for the petitioner further submitted that the petitioner had deposited Rs.60,00,000/- in the company of the accused, which was transferred through RTGS. The accused repeated the same fraudulent tactics and cheated several investors. It was pointed out that, based on the complaint given by one Gowryshankar in Crime No.161 of 2023, it is evident



that the accused are in the habit of defrauding investors. Thus, the petitioner has established that the accused not only received Rs.60,00,000/- from him but also induced him to invest in their company, which was already running at a loss. The trial Court, however, failed to consider the conduct of the accused.

4. Accordingly, the findings of the trial Court are set aside. The prayer sought by the petitioner is ordered. The respondent police are directed to conduct an enquiry in the manner known to law, within a period of six weeks from the date of receipt of a copy of this order.

5. This Criminal Revision case is disposed of accordingly.

23-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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4. The XVIII Metropolitan Magistrate,
Saidapet, Chennai.



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T.V.THAMILSELVI J.
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