



Crl.R.C.No.1240 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2025

CORAM:

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

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1. Karthick @ Kulla Karthick
2. Prakash @ Pillaaiyar Prakash

... Petitioners

Vs.

State Rep. by
The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai.
(Cr.No.1501 of 2024)

... Respondent

PRAYER: Criminal Revision has been filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order passed in Crl.M.P.No.2470 of 2025 dated 26.05.2025 on the file of the Principal Special Judge under EC & NDPS Act, Chennai, in the interest of justice.

For Petitioners : Mr.K.Subburaj

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The Criminal Revision Case has been preferred as against the order dated 26.05.2025, passed by the learned Principal Special Judge under



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EC & NDPS Act, Chennai, in Crl.M.P.No.2470 of 2025, thereby allowed the petition filed by the respondent for extension of statutory period of investigation and to file final report in Crime No.1501 of 2024.

2. The petitioners are the accused in Crime No.1501 of 2024, on the file of the respondent police, registered for the offences punishable under Sections 8(c) & 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as “the NDPS Act”), alleging that the petitioners were found in possession of 21 Kgs of Ganja illegally. After registration of the FIR, the respondent was not able to complete the investigation within a period of 180 days. Therefore, the respondent filed petition under Section 36(A)(4) of the NDPS Act, seeking further extension of time for completion of investigation and the same was allowed by the trial Court. Aggrieved by the same, the petitioners filed the present revision.

3. On perusal of the impugned order, it is revealed that the respondent filed petition under Section 36(A)(4) of the NDPS Act, seeking further extension of time for completion of investigation on 15.05.2025 i.e., on 165th day from the date of custody of the petitioners. It was ordered on 26.05.2025 i.e., on 176th day from the date of the petitioners' custody, thereby



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extended further time of 60 days for completion of investigation and to file a final report. Accordingly, the respondent completed the investigation and filed final report through E-filing on 16.06.2025 i.e., even before the completion of 60 days. Now it is pending for taking cognizance. At this juncture, the petitioner challenged the said order on the ground that, the said petition was filed by the prosecution for compelling the detention of the petitioner till the completion of investigation.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that now the respondent completed the investigation and filed final report through E-filing on 16.06.2025 itself. Therefore, the revision petition is not at all maintainable.

5. The learned counsel appearing for the petitioner vehemently objected the same and produced E-Court extraction that the respondent, after completion of investigation filed final report in S.R.No.No.7074 of 2025 only on 29.07.2025. Therefore, this revision is very much maintainable.

6. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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7. Admittedly, the respondent completed the investigation and filed charge sheet through E-filing in No.LTN20220001471C202500052 dated 16.06.2025. Though it was taken on 29.07.2025 in S.R.No.No.7074 of 2025, the respondent filed the charge sheet on 16.06.2025 itself through E-filing. However, the revision petition has been filed only on 25.07.2025. Therefore, once the charge sheet has been laid and it is about to be taken cognizance by the trial Court, this revision petition is not maintainable and is liable to be dismissed.

8. Accordingly, the Criminal Revision Case stands dismissed.

25.08.2025

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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1. The Principal Special Judge
under EC & NDPS Act,
Chennai.
2. The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN. J,

rts

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