



Crl.R.C.No.1360 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2025

CORAM:

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

Crl.R.C.No.1360 of 2025

1. Sugumar
2. Kalaiselvan

... Petitioners

Vs.

State Rep. by
The Inspector of Police,
PEW, Thiruvallur Police Station,
Tiruvallur.
(Cr.No.222 of 2024)

... Respondent

PRAYER: Criminal Revision has been filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records and set aside the order passed in Crl.M.P.No.364 of 2025 dated 30.04.2025 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 30.04.2025, passed by the learned Principal Special Judge under EC & NDPS Act, Chennai, in Crl.M.P.No.364 of 2025, thereby allowed the



Crl.R.C.No.1360 of 2025

petition filed by the respondent for extension of statutory period of investigation and to file final report in Crime No.222 of 2024.

2. In view of the submission and endorsement made by the learned counsel appearing for the petitioners, this Court by an order dated 11.08.2025, dismissed the Criminal Revision as withdrawn insofar the first petitioner alone. Therefore, this Court is inclined to pass orders insofar as the second petitioner is concerned.

3. The second petitioner is arrayed the accused in Crime No.222 of 2024, on the file of the respondent police, registered for the offences punishable under Sections 8(c) 20(b)(ii)(C), 25 & 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as “the NDPS Act”), alleging that the petitioner were found in possession of 55 Kg 600 grams 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 second petitioner filed the present revision.

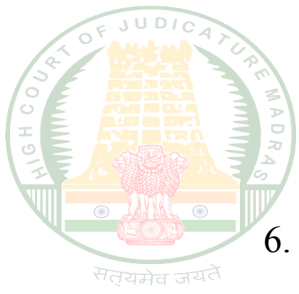


Crl.R.C.No.1360 of 2025

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4. 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 23.01.2025 i.e., on 165th day from the date of custody of the second petitioner. It was ordered on 30.01.2025 i.e., on 172 day from the date of the second petitioner's custody, thereby extended further time of three months for completion of investigation and to file a final report. Accordingly, the respondent completed the investigation and filed final report on 16.03.2025 i.e., even before the completion of 60 days and the same was taken cognizance in C.C.No.575 of 2025. At this juncture, the second petitioner challenged the said order on the ground that the said petition was filed by the prosecution for compelling the detention of the second petitioner till the completion of investigation.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that now the respondent completed the investigation and filed final report on 16.03.2025 itself. Therefore, the revision petition is not at all maintainable.



Crl.R.C.No.1360 of 2025

6. Heard the learned counsel appearing on either side and perused

the materials placed before this Court.

7. Admittedly, the respondent completed the investigation and filed charge sheet on 16.03.2025 and the same has been taken cognizance in C.C.No.575 of 2025. However, the revision petition has been filed only on 28.07.2025. Therefore, once the charge sheet has been laid and the same has been 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

rts



Crl.R.C.No.1360 of 2025

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1. The Principal Special Judge
under EC & NDPS Act,
Chennai.
2. The Inspector of Police,
PEW, Thiruvallur Police Station,
Tiruvallur.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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Crl.R.C.No.1360 of 2025

G.K.ILANTHIRAIYAN. J,

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Crl.R.C.No.1360 of 2025

25.08.2025