



Crl.R.C .No.1751 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2025

CORAM:

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

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M.P.Balaji

..... Petitioner

Vs

The State rep.by

1. The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
Kacheri Salai, Mylapore,
Chennai – 600 004.

2. The Inspector of Police,
D-3, Ice House Police Station,
Chennai – 600 005.

..... Respondents

Prayer: Criminal Revision is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order passed by the II Metropolitan Magistrate Court, Egmore, Chennai, dated 17.11.2023 in Crl.M.P.nO.51402 of 2023 and thereby direct the respondents to register a case on the basis of petitioner's complaint dated 16.12.2021 before the second respondent police station by allowing this Criminal Revision petition.

For Petitioner : Mr.D.Mario Johnson

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

ORDER



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This Criminal Revision Case has been filed challenging the order dated 17.11.2023 passed in Crl.M.P.No.51402 of 2023, by the II Metropolitan Magistrate, Egmore, Chennai, thereby dismissing the complaint filed for a direction under Section 156(3) of Cr.P.C.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. A perusal of the complaint lodged by the petitioner reveals that the accused introduced a chit fund scheme and induced the petitioner to join. Accordingly, the petitioner subscribed a sum of Rs.30 Lakhs. Thereafter, the whereabouts of the accused were not known and they cheated the entire amount of the petitioner. This Court, by an order dated 06.12.2024, directed the second respondent to conduct a preliminary enquiry and submit a status report. However, till date, the second respondent has neither conducted the enquiry nor submitted any report.

4. In view of the above, this Court finds that a prima-facie case has been made out on the complaint lodged by the petitioner to



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register an FIR. Accordingly, the order dated 17.11.2023 passed in

WEB COPY Crl.M.P.No.51402 of 2023, by the II Metropolitan Magistrate, Egmore,

Chennai, is hereby set aside. The second respondent is directed to

register an FIR on the complaint lodged by the petitioner against the

accused and proceed with the investigation in accordance with law.

5. With the above directions, this Criminal Revision Case is allowed.

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Index : Yes/No

Internet : Yes/No

Speaking/Non Speaking order

Lpp

To

1. The II Metropolitan Magistrate,
Egmore, Chennai.

2. The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
Kacheri Salai, Mylapore,
Chennai – 600 004.

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3. The Inspector of Police,



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D-3, Ice House Police Station,
Chennai – 600 005.

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4. The Public Prosecutor,
High Court, Madras.

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