



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 1901 of 2024

1. YAKSHIT

Authorized Person, M/s.Renuja
Enterprises, No.446, Mint Street, 1st
Floor, Sowcarpet, Chennai - 600 079.

Petitioner(s)

Vs

1. The Commissioner Of Police
Chennai City Police, Vepery, Chennai -
600 007.

2.The Greater Chennai Police
Central Crime Branch Edf-11, Team
Xxxvii, Vepery, Chennai - 600
007.(amended As Per Order Dt
13/11/2024 In Crl Mp No 15855/2024
In Crl Rc No 1901//2024)

Respondent(s)



PRAYER

Criminal Revision Case is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, praying to set aside the order passed in CrI.M.P.No.54668 of 2023, dated 21.03.2024 on the file of Judicial Magistrate CCB Court, Egmore, Chennai and consequently direct the 2nd respondent to register FIR on the complaint of the petitioner dated 10.03.2023.

For Petitioner(s): Mr.K.Thenrajan

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

ORDER

The petitioner has filed this Revision, to set aside the order passed in CrI.M.P.No.54668 of 2023, dated 21.03.2024 on the file of Judicial Magistrate CCB Court, Egmore, Chennai and consequently direct the 2nd respondent to register FIR on the complaint of the petitioner dated 10.03.2023.

2. On perusal of the records, the learned counsel for the petitioner challenged the impugned order, stating that due to the fraud committed by Sandeep and Company, the proposed accused, who is running a business at Door No.1, Roop Rajatnagar, Pal Road, Amit Nagar, Jodhpur, Rajasthan, the



petitioner has been cheated. According to the petitioner, with an illegal and unlawful intention, the proposed accused insisted that he do business with him and promised to deliver *duty free licence scripts* of the export mail. He also introduced one mediator for selling the duty-free scripts on behalf of *Expert Scripts* and shared the scripts through WhatsApp.

3. In February 2022, the petitioner came to know that the proposed accused had been cheating exporters by taking soft copies of their documents under the guise of purchasing duty-free scripts. The petitioner further stated that the proposed accused shared those soft copies with others and collected payments against the invoice, as evidenced by the document at Page No.151. To substantiate his claim, the petitioner produced the invoice dated along with the petition and also filed all relevant particulars of the invoices and supporting documents. However, the trial Judge failed to consider these materials and erroneously dismissed the petition filed under Section 156(3) of the Cr.P.C., though the records clearly disclosed that the proposed accused, Sandeep Bandari, had committed a cognizable offence under Section 420 IPC. Aggrieved



by the said dismissal, the present appeal has been preferred.

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4. The learned Government Advocate (Crl. Side) submitted that, as observed by the learned Magistrate, the petitioner had not produced prima facie materials to lodge a complaint against the proposed accused. However, as rightly pointed out by the learned counsel for the petitioner, even in the affidavit filed before the trial court, the petitioner had clearly narrated the entire particulars of the invoices and the details of the scripts purchased from the proposed accused. Therefore, there are sufficient prima facie materials to proceed with the case.

5. Considering the above submissions and on perusal of the records, this Court is inclined to allow the petition. Accordingly, the impugned order passed by the learned Magistrate is set aside. The learned Magistrate is directed to take the case on file, provided the petitioner produces all the relevant materials within a period of two weeks from the date of receipt of a copy of this order.



6. Accordingly, this criminal Revision case is allowed.

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04-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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1.The Commissioner of Police
Chennai City Police, Vepery,
Chennai - 600 007.

2.The Greater Chennai Police
Central Crime Branch Edf-11, Team
Xxxvii, Vepery,
Chennai - 600 007.

(amended As Per Order Dt 13/11/2024
In Crl Mp No 15855/2024 In Crl Rc No
1901//2024)

3.The Judicial Magistrate CCB Court,
Egmore, Chennai.



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T.V.THAMILSELVI J.
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