



Crl.R.C.No.820 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 23.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

Crl.R.C.No.820 of 2025
and
Crl.M.P.No. 11404 of 2025

C.Punniyakotti

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
V & AC, CCU-III,
Alandur, Chennai.
Cr.No.3 of 2017

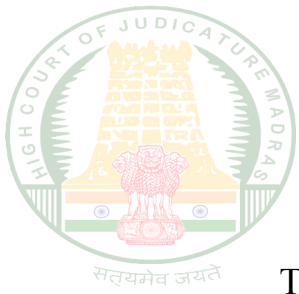
... Respondent

PRAYER: Criminal Revision Case has been filed under Section 397 r/w 401 of Code of Criminal Procedure, to call for the records in Crl.M.P.No.3528 of 2023 in Spl.S.C.No.13 of 2022 on the file of learned Special Judge/Chief Judicial Magistrate, Chengalpattu, set aside the order of dismissal of discharge petition passed therein on 23.07.2024.

For Petitioner : Mr.T.Dhanasekaran
for Mr.A.Balaji

For Respondent : Mr.S.Udhayakumar
Government Advocate (Crl.Side)

ORDER



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The revision petition is directed against the order of the learned Special Judge / Chief Judicial Magistrate, Chengalpattu, in Criminal M.P. No. 3528 of 2023 in Special S.C. No. 13 of 2022. By the said order, the application for discharge filed by the petitioner/accused was dismissed by the trial Court.

2. Heard the learned counsel appearing for the petitioner.

3. The learned counsel appearing for the petitioner, by pointing to the initial assets during the check period and the assets as on the final date of the check period, and the income and expenditure, would submit that the Investigating Officer had not taken into account the income derived from the Tata Sumo car and several other items.

4. Even the other grounds that are raised in the criminal revision also relate to the merits of the defence. It is now well settled that when a final report has been filed claiming assets disproportionate to the known source of income, it is for the accused to rebut the presumption and place it before the trial Court as to the sources of the income. At the stage of discharge, this Court cannot conduct a mini-trial or a roving enquiry into the various aspects/income and source.



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WEB COPY 5. Therefore, keeping open the liberty of the accused to raise all these grounds before the trial Court, finding no merit, the Criminal Revision stands dismissed. Consequently, connected miscellaneous petition is closed.

23.06.2025

Neutral Citation: Yes/No
nsl

To

1. The Special Judge/Chief Judicial Magistrate,
Chengalpattu.
2. The Inspector of Police,
V & AC, CCU-III,
Alandur, Chennai.
Cr.No.3 of 2017
3. The Government Advocate (Crl.Side)
Madras High Court.



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D.BHARATHA CHAKRAVARTHY, J.

nsI

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