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CRL RC No. 2070 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2070 of 2025

K.V.Rasi

W/o.S.Vadivel,

No. 2/21, Sai Flats, School 2nd Street,
Virugambakkam, Chennai - 600 092.

Petitioner(s)

Vs

1. The State Rep By The Inspector Of
Police
Virugambakkam Police Station,
Chennai - 600 092.

2.R.Mohanapriyan
Sathuvachari Police Station, Vellore
District. (Crime. No.252/2025)

Respondent(s)

PRAYER

To call for records and set aside the order made in Crl.M.P.No. 25288/2024 order dt 09.07.2025 on the file of the Learned XXIII Metropolitan Magistrate, Saidapet, Chennai and allow this Criminal Revision Petition.



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For Petitioner(s): Mr. S.Ezhil Raj

For Respondent(s): Dr.C.E.Pratap,
Govt. Advocate (Crl. Side) For R1

ORDER

Challenging the impugned order dated 09.07.2025 passed by the XXIII Metropolitan Magistrate, Saidapet, Chennai in Crl.M.P.No.25288 of 2024, the petitioner/complainant preferred this Criminal Revision Petition.

2. The petitioner had paid a sum of Rs. 1,29,25,000/- to the 2nd respondent, who conducted a Deepavali chit and other finance transactions under the name and style of K.V.R.Enterprises. As the 2nd respondent/accused Mohanapriyan was known to the petitioner's family, she became a subscriber in the chit and paid the amount regularly, but later he failed to repay the chit amount. Hence, she gave a complaint before the 1st respondent police, but they have not taken any action, since he is an influenced person in that locality. Therefore, she gave a private complaint by enclosing all the documents in order to show the finance transaction with the 2nd respondent/accused Mohanapriyan. But, the trial judge also dismissed the petition holding that the amount involved in this case is nearly about more than Rs.1,72,35,000/-, which comes under the



jurisdiction of Central Crime Branch. Therefore, for want of jurisdiction, it was dismissed. Aggrieved over the said findings, the petitioner/complainant preferred this Criminal Revision Case.

3. The learned counsel for petitioner would argue that when the prima facie materials produced by the petitioner, the trial judge ought to have taken note of the same, but erroneously dismissed the petition. He would further argue that even the trial court is empowered to transfer the case to Central Crime Branch, but the trial judge failed. Hence, he prayed to set aside the findings of trial judge.

4. Heard and considered rival submissions made by learned counsel for petitioner perused materials available on record.

5. Considering his submissions and on perusal of records, the fact reveals that the petitioner approached the trial court by filing a petition under Sec.156(3) of CrI.P.C. to register the F.I.R. against the 2nd respondent/accused Mohanapriyan, who had cheated to the tune of Rs.1,72,35,000/- and he has also illegally possessed her original settlement deeds of the year 2008 and 2011. Already notice was issued calling upon him to return back those documents, but the 2nd respondent ran away from the place and he had also cheated many subscribers under the guise of running Deepavali chit. Hence, the conduct of 2nd



respondent Mohanapriyan requires detailed investigation. When there is prima facie materials produced by the petitioner, the trial court is empowered to take further action against the accused, but the trial court failed to consider the same and erroneously dismissed the petition. Hence, the findings of trial judge is liable to be set aside. Accordingly, the findings rendered by the learned XXIII Metropolitan Magistrate, Saidapet, Chennai held in Crl.M.P.No. 25288 of 2024 is set aside. The 1st respondent Police is directed to register the F.I.R., conduct investigation and submit a report within a period of twelve weeks from the date of receipt of a copy of this order as per manner known to law. Accordingly, this Criminal Revision Case is allowed.

24-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. XXIII Metropolitan Magistrate, Saidapet, Chennai.

2. The Inspector Of Police

Virugambakkam Police Station, Chennai - 600 092.

3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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