



IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 06-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 1899 of 2025

1. S.Ramkumar

S/o.Selvam, No.5/44, Iron Life Gym,
Valluar Salai Ramapuram, Chennai -
600 089

Petitioner(s)

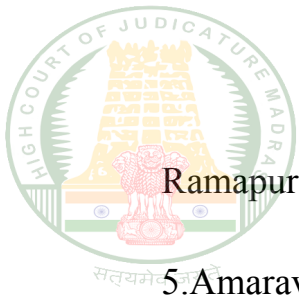
Vs

1. The Commissioner of Police,
Chennai Police Commissionerate,
Vepery, Chennai.

2.The Deputy Commissioner of Police,
Koyambedu Zone, Koyambedu
Chennai.

3.The Inspector of Police,
R-11 Rampuram Police Station,
Ramapuram, Chennai.

4.Vigneshwaran
S/o.Balasubramanian No.17 10
Elumalai Nayakar Street, Poothapedu,



Ramapuram, Tiruvallur - 600 089

5.Amaravathi @ Rithu

W/o.Vigneshwaran, No.17 10 Elumalai

Nayakar Street, Poothapedu,

Ramapuram, Tiruvallur - 600 089

Respondent(s)

CRL RC No. 1899 of 2025

PRAYER

To call for the records relating to the order dated 20.08.2025 passed by the Learned Judicial Magistrate NO.I, Poonamallee in CrI.M.P.No.4418 of 2024, set aside the same, and consequently direct the 3rd respondent to register a case, conduct proper investigation and file a final report against the 4th and 5th respondents.

CRL RC No. 1899 of 2025

For Petitioner(s): S.Anilsandeep

Karthik B

D.Ajay

For Respondent(s): Public Prosecutor For R1 To R3

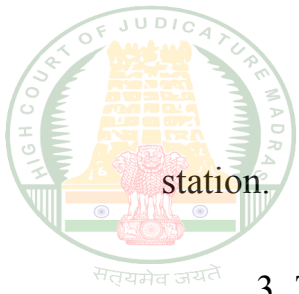
ORDER

This petition has been filed to call for the records relating to the order dated 20.08.2025 passed by the Learned Judicial Magistrate No.I, Poonamallee in CrI.M.P.No.4418 of 2024, set aside the same, and consequently direct the 3rd respondent to register a case.



WEB COPY

2. The petitioner herein/defacto complainant has filed a petition before the Judicial Magistrate No.I, Poonamallee, under Section 156(3) Cr.P.C in Crl.MP. No. 4418 of 2024 seeking a direction to the 3rd respondent to register a case, investigate and file a final report against the fourth and fifth respondent for the misappropriation of Rs.40 lakhs. As per the complainant, the fourth respondent was entrusted with entire affairs of the Gym to the defacto complainant. As per the records, it found that amount which was collected from the customers was paid directly to the account of the accused, who in turn, transferred the amount to his wife/fifth respondent which is criminal breach of Trust and misappropriation. Hence, the defacto complainant lodged a complaint to the police but it was not properly investigated. Thereafter, the petitioner lodged a private complaint before the said Court along with materials with regard to alleged amount transfer made by the accused/fourth respondent to his wife/fifth respondent but same was not been properly appreciated by the court and it stated that the value exceeds jurisdictional limit of the third respondent and instructed the petitioner to approach the appropriate jurisdictional police



station.

WEB COPY

3. The learned counsel for third respondent submits that third respondent police is entitled to conduct investigation but the trial judge erroneously dismissed the petition by holding that third respondent has no jurisdiction to decide the issue.

4. The learned Government Advocate submits that CCB is right person to investigate to the said offence to that effect he relied the judgement of this Court in the case of Crl.OP No. 772 of 2022:

“5) It is submitted that it is pertinent to mention that following the re-organisation of the Madras City Police in 1929, Central Crime Department was formed vide G.O.No.173, Judicial, dated 01.04.1929 and that the department will be under the charge of a Deputy Commissioner, under the Commissioner of Police, assisted by an Assistant Commissioner, who will be in direct charge of the General Investigation Section. It was further notified that Central Crime Department, Madras City Police, Madras as a “Police Station” and that the local area shall be the city of Madras.

6) It is further submitted that, the present hierarchy of CCB, as follows, the Commissioner of Police, Chennai who is the Head of the CCB under whom a full time Additional Commissioner of Police, CCB, under whom, Deputy Commissioners of Police, Additional Deputy Commissioners of Police, Assistant Commissioners of Police, Inspectors of Police and Police team



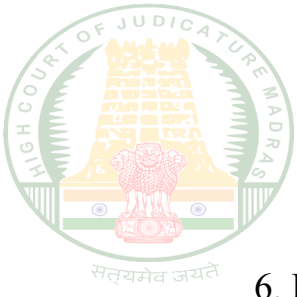
are pressed into service. The different types of crimes being investigated by the CCB, Chennai are as follows;

- i. Entrustment fraud, document fraud (breach of trust) ”*
- ii. Forgery cases*
- iii. Gansters operation and anti-extortion*
- iv. Kandhuvaddhi and non-specialised crime and unregistered fraud*
- v. Job racketing*
- vi. video piracy and copyright act cases*
- vii. Bank frauds*
- viii. Cyber Crimes*
- ix. Land grabbing cases*
- x. Fake passport and Fake Visa cases*
- xi. Cases allotted by the Commissioner of Police*

7) It is submitted that as regards cases of cheating, the Commissioner of Police has passed on office order dated 08.06.2017 of which, paragraph no.2 reads as under:

(2) In the modification of the orders issued in the reference cited, it is ordered that the amount involved in the cases handled by Central Crime Branch is increased from the existing Rs.25 lakhs to Rs.50 lakhs and that the cases in which the amount is less than Rs.50 lakhs are to be investigated by the crime section of the local police under the direct supervision of the Assistant Commissioners of Police, except the special cases or those specifically directed

5. By relying the above order, the learned Government Advocate, submits that this Court clarifies that the offence related to entrustment fraud, document fraud(breach of trust) could be investigated by the CCB.



WEB COPY

6. Heard both sides.

7. As per circular dated 08.06.2017 issued by the commissioner of Police, the amount involved in the cases handled by Central Crime branch is increased from the existing Rs.25 lakhs to 50 lakhs but present case related to entrustment fraud and breach of trust and the alleged cheated amount involved in this case is between Rs40 lakhs. Hence, as rightly pointed by the learned Government Advocate (Crl.side), CCB-EDF, Chennai is competent authority to investigate this matter. However, the Trial Court has erroneously held that third respondent has jurisdiction to investigate the case. Accordingly, the order passed by the Trial Court in Crl.MP No. 4418 of 2024 is set aside. The CCB-EDF, Chennai, is directed to register the complaint and investigate the matter as per manner known to law within a period of four weeks from the date of receipt of a copy of this order.



8. In the result, this Criminal Revision Case, is disposed of. Pending

petition, if any, is/are closed.

WEB COPY

06-10-2025

pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Commissioner of Police,

Greater Chennai,

Vepary,

Chennai -7.

2. The Public Prosecutor,

High Court, Madras.



WEB COPY

CRL RC No. 1899 of 2025



T.V.THAMILSELVI J.
pbl

**CRL RC No. 1899 of
2025**

06-10-2025