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CRL OP No. 26709 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 26709 of 2025 & CrI.M.P.No.18118 of 2025

1. MUTHULAKSHMI

D/o.Kandasamy, No.3, Thanikodi
Nagar, Viratipathu, Madurai.

2. Krishna Pradeesh

S/o.Shanmugam, No.191, Kothari
Nagar, Singanallur, Coimbatore.

3. S.Sridharan

S/o.Subramani, No.200, 10th Street,
M.G.R.Nagar, Periyakuppam,
Thiruvallur.

Petitioner(s)

Vs

1. The State of Tamil Nadu Rep. by
The Inspector of Police, CCB-I,
Chennai - CCB, Crime No.130 of 2025

2.B.Suryakumar

S/o.Babu, Flat No.9 and 10, Door
No.S1, 1st Cross Street, Andal Thottam,
Ramapuram, Chennai.

Respondent(s)



PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the entire records pertaining to the case in Crime No.130 of 2025 on the file of the Inspector of Police, CCB-I, Chennai - CCB and quash the same as against the petitioners and pass such any or other orders as this Honble Court.

For Petitioner(s): Mr.R.Anand

For Respondents : Mr.R.Vinodhraj,
Government Advocate [Crl.Side] – R1
Mr.M.Senthil Kumar – R2

ORDER

The petitioner seeks to quash the First Information Report, which came to be registered pursuant to the direction of the learned Magistrate under section 156 [3] of Cr.P.C., for the offences under sections 406, 409, 120 IPC.

2. The case of the prosecution is that the petitioner was introduced to the defacto complainant during the month of September 2020 by the second accused and based on their inducement the defacto complainant and one Sundarapandian joined together and made investment to the tune of Rs.40,00,000/- in the on-line business assuring they will get 3% return. However, the accused had not



paid any profit from the business and as per the clause they promised to repay Rs.50,00,000/- during the year 2024.

3. It is relevant to note that in an earlier occasion, the petitioner had challenged the very Order of the trial Court forwarding the complaint under 156 [3] of Cr.P.C. in CrI.O.P.No.8421 of 2025 which has been dismissed by this Court by an Order dated 10.06.20.2025. Now the contention raised by the learned counsel appearing for the petitioner is that while forwarding the complaint, new provisions under BNSS has not been followed. According to him, before forwarding the complaint to the police, the Magistrate ought to have conducted an enquiry. Hence, seeks to quash the First Information Report.

4. The contention of the petitioner has no force at all. The first complaint has been filed much prior to 29.05.2024, when the new Act came into force. Therefore, when the petition was filed and pending, the old Code has to be followed as per section 31 of BNSS. Hence, I do not find any merits in this petition.



5. As far as the allegations in the First Information Report is concerned, similar allegations have been raised before this Court and this Court by an Order dated 10.06.2025 dismissed the petition. Hence, I do not find any merits in this petition.

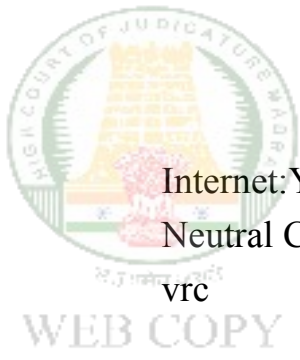
6. The only grievance of the petitioner is that the he had also given a complaint and despite a direction of this Court on 30.04.2025 in W.P.No.15735 of 2025, the respondent had not conducted enquiry. In such view of the mater, let the fist respondent take note of all these aspects and conduct investigation fairly.

7. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

26-09-2025

Index:Yes/No

Speaking/Non-speaking order



Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Metropolitan Magistrate,
for Exclusive Trial of CCB Cases
[Relating to cheating cases in Chennai],
and CBCID Metro Cases. Egmore, Chennai.
2. The Inspector of Police, CCB-I,
Chennai - CCB, Crime No.130 of 2025
3. The Public Prosecutor,
High Court, Madras.



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N.SATHISH KUMAR J.

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