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Crl.R.C.No.2282 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED :14.02.2025**

**CORAM**

**THE HON'BLE MR. JUSTICE P.VELMURUGAN**

**Crl.R.C.No.2282 of 2024**

N.Pasupathy

... Petitioner

Vs

The State represented by,  
The Inspector of Police,  
E-3, Minjur Police Station

... Respondent

**PRAYER:**

Criminal Revision Case filed under Section 438 read with 442 of BNSS, to set aside the order of Extension of Investigation passed by the learned Principal Special Court under EC& NDPS Act, Chennai in Crl.M.P.No.13289 of 2024 dated 29.11.2024 in Crime No.343 of 2024 on the file of the respondent Police.

For Petitioner : Mr.I.Sidharthan

For Respondent : Mr.S.Sugendran  
Additional Public Prosecutor



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## **ORDER**

This Criminal Revision Petition has been filed to set aside the order of extension of investigation, dated 29.11.2024 passed in Crl.M.P.No.13289 of 2024 on the file of the the Principal Special Court under EC& NDPS Act Cases , Chennai.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent-Police and perused the materials available on record.

3. Learned counsel for the petitioner submitted that the respondent-Police has not given specific reason for extension of time to file the final report. The respondent-Police has not complied with the mandatory provisions and only in order to protract the release of the petitioner, the respondent-Police has filed the application for extension of time. The learned Special Judge, failed to consider the materials available on record and granted extension of time mechanically, which



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warrants interference by this Court. The learned counsel for the petitioner has also placed reliance on the judgment dated 27.11.2024 passed in Crl.R.C.Nos.1847, 1885, 1849 and 2002 of 2024 of this Court [Mohamed Asaruthin, Naresh Babu, Ramesh, Manoj Kumar Vs. The state of Tamil Nadu].

4. Learned Additional Public Prosecutor appearing for the respondent-Police submitted that the petitioner had already involved in 23 cases, which are of similar in nature. The present case is 24<sup>th</sup> case. Some of the materials/particulars could not be collected by the respondent-Police within a time and further, the samples were sent to Forensic Lab and the report is yet to be received. Hence, the respondent-Police is unable to file the final report within the statutory period. Hence, the respondent-Police has approached the Special Court seeking extension of time even prior to 180 days ie., on 20.11.2024 itself. The learned Special Judge had considered the petition and granted extension of time on 25.11.2024. The petitioner has filed the petition on 180<sup>th</sup> day. Since already extension of time was granted to the

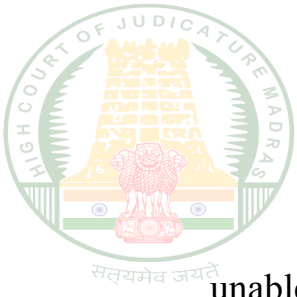


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respondent-Police, the learned Special Judge dismissed the petition filed by the petitioner. Further, the learned Additional Public Prosecutor appearing for the respondent-Police submitted that the charge sheet has been filed in C.C.No.979 of 2024 on the file of the Principal Special Court under EC& NDPS Act Cases, Chennai .

5. Admittedly, the petitioner is involved in the case in Crime No.343 of 2024 for the offence under Section 8(c) read with 22(c) of NDPS Act. The accused was secured on 08.06.2024. Since the respondent-Police has not completed the investigation within the statutory period, they have obtained an order of extension of time from the Special court. Subsequently the respondent-Police filed the charge sheet and the same was taken on the file of the Principal Special Court under EC& NDPS Act Cases, Chennai in C.C.No.979 of 2024. On a perusal of the records it is seen that the offence committed by the petitioner is of serious in nature. The respondent-Police has collected sample and sent the same to Forensic Lab and the report is not yet obtained by the respondent-Police. Hence the respondent-Police is



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unable to file the final report within the stipulated time. The decision referred by the learned counsel for the petitioner is not applicable to the case on hand.

6. Considering the above facts and circumstances of the case and also considering the serious nature of the offence and that the petitioner is a habitual offender and also considering the fact that charge sheet has been filed before the Special Court, this Court does not find any reason to interfere with the order passed by the Special Court. There is no merit in the revision petition.

7. Hence, this Criminal Revision Petition is dismissed. The petitioner is at liberty to take all his defences before the trial Court at the time of trial.

**14.02.2025**

*mfa*

*Index: Yes/No*

*Speaking Order: Yes/No*

*Neutral Citation: Yes/No*



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To

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1. The Principal Special Court under EC& NDPS Act, Chennai
2. The Inspector of Police,  
E-3, Minjur Police Station
3. The Public Prosecutor,  
High Court, Chennai.



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**P.VELMURUGAN, J**

*mfa*

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**14.02.2025**