



Crl.M.P.No.18636 of 2024
and
Crl.R.C.SR.No.65783 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

C O R A M

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.M.P.No.18636 of 2024
and
Crl.R.C.SR.No.65783 of 2024

The State of Tamil Nadu
Rep. The Inspector of Police,
CBCID Head Quarters,
Egmore, Chennai – 600 008,
Crime No.15 of 2023.

... Petitioner

Vs.

B.M.Muthukrishnan

... Respondent

Prayer in Crl.M.P.No.18636 of 2024

Civil Miscellaneous Petition filed under Section 5 of Limitation Act, to condone the delay of 44 days in filing revision against the order passed in Crl.M.P.No.40185 of 2024 by the learned Metropolitan Magistrate, for Exclusive Trial of CCB Cases (Relating to Cheating Cases to Chennai) and CBCID Metro Cases, Egmore, Chennai in Crime No.15 of 2023 on the file of the CBCID, Metro Wing, Chennai dated 18.07.2024.



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Prayer in Crl.R.C.Sr.No.65783 of 2024 :

Civil Revision Case filed under Section 397 and 401 Cr.P.C./438 r/w 442 of BNSS, 2023, to call for the records in Crl.M.P.No.40185 of 2024 in Crime No.15 of 2023, dated 18.07.2024 passed by the learned Metropolitan Magistrate, for Exclusive Trial of CCB Cases (Relating to Cheating Cases to Chennai) and CBCID Metro Cases, Egmore, Chennai and to set aside the said order.

For Petitioner : Mr.S.Sugendran
Additional Public Prosecutor

For Respondent : Mr.R.C.Paul Kanagaraj

ORDER

This Criminal Miscellaneous Petition has been filed by the State to condone the delay of 44 days in filing revision against the order passed in Crl.M.P.No.40185 of 2024 by the learned Metropolitan Magistrate, for Exclusive Trial of CCB Cases (Relating to Cheating Cases to Chennai) and CBCID Metro Cases, Egmore, Chennai in Crime No.15 of 2023 on the file of the CBCID, Metro Wing, Chennai dated 18.07.2024.



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2. Heard both sides and perused the materials available on record.

3. On a perusal of the status report and also the impugned order shows that the respondent herein-A1 has filed the petition in Crl.M.P.No.40185 of 2024 before the Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to Cheating Cases to Chennai) and CBCID Metro Cases, Egmore, Chennai seeking a direction to the respondent-Police therein to file the final report expeditiously in Crime No.15 of 2023. The learned Magistrate, *vide* order dated 18.07.2024 allowed the petition and directed the petitioner herein-State to complete the investigation and file a final report within a period of two months. The said order has been passed on 18.07.2024. However, the petitioner-State has not filed the charge sheet/ final report within the time as stipulated by the Magistrate, instead, they have filed the revision in Crl.RC.SR.No.65783 of 2024 along with the present Miscellaneous Petition praying to condone the delay of 44 days in filing the said revision.



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4. It is seen from the status report that even though there is progress in the investigation, due to technicality involved in this case, the petitioner-State are unable to file the charge sheet within the stipulated time. However, it is seen from the records and also as admitted by the learned Additional Public Prosecutor, the Investigating Officer has not approached the trial Court for extension of time to complete the investigation and to file the charge sheet/final report.

5. Therefore, the petitioner-State is directed to approach the Magistrate concerned by way of filing a petition seeking extension of time and after getting time, they can expedite the investigation and file the charge sheet/final report within the time to be fixed by the Magistrate and failing to file the charge sheet/final report within the time, the entire proceedings in Crime No.15 of 2023 shall be quashed.



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6. With the above directions, this Criminal Miscellaneous Petition is closed. Consequently, connected Criminal Revision Case is also closed at the S.R.stage itself.

14.02.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation Case : Yes / No
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To

1. The Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to Cheating Cases to Chennai) and CBCID Metro Cases, Egmore, Chennai.
2. The Inspector of Police, CBCID Head Quarters, Egmore, Chennai – 600 008.
3. The Public Prosecutor, High Court, Madras.



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P.VELMURUGAN, J.

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