



Crl.R.C.No.1786 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.R.C.No.1786 of 2025

Raman Muthiah

.... Petitioner

Vs

State Represented by
Inspector of Police,
Central Crime Branch,
EDF-1, Beta-1,
Chennai District – 8.
(Crime No.212/2020)

.... Respondent

PRAYER: Criminal Revision filed under Sections 397 R/w 401 of Criminal Procedure Code, against the order dated 04.07.2024 in Crl.M.P.No.37006 of 2024 on the file of the learned Additional Court for Exclusive Trial for CCB Cases at Egmore, Chennai.

For Petitioner : Mr.I.Periaswamy

For Respondent : Dr.C.E.Pratap
Government Advocate (Criminal Side)

For Defacto
Complainant : Mr.Prakash Goklaney



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ORDER

WEB COPY This Criminal Revision Case is filed to set aside the order dated 04.07.2024 in Crl.M.P.No.37006 of 2024 passed by the Additional Court for Exclusive Trial for CCB Cases at Egmore, Chennai.

2.The brief facts of the case are as follows:

According to the prosecution, the defacto complainant was introduced to the petitioner by one Mr.Vijayan. The petitioner was doing a business of mining bauxite and exporting the same to Malaysia. Based on the assurance made by Mr.Vijayan and the petitioner, the defacto complainant had agreed to make an investment and also mobilized funds from his friends viz., Mr.Vaidyanathan, Mrs.Bhavani and Mr.Sundaravadivelu and invested a total sum of half a million Ringgits, which is worth about Rs.90,00,000/- into the account of M/s.Silver Mining Resources SDN BHD, Malaysia. The defacto complainant also invested in a large extent of land with substantial bauxite deposits available for lease in Malaysia and the same could be obtained by investing Rs.1.5 crores. Accordingly, the defacto complainant, his mother and his friend's wife had invested Rs.1.25 crores in the above project and it was alleged that the petitioner had withdrawn the funds and cheated the defacto complainant. Hence the complaint. A case was



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registered in Crime No.212 of 2020 for the offence under Section 406 and 420 of IPC. The petitioner earlier filed a petition before the Additional Court for Exclusive Trial for CCB Cases at Egmore, Chennai in Crl.M.P.No.37006 of 2024 for return of passport, the learned Judge vide order dated 04.07.2024 dismissed the petition.

3. Aggrieved by the said order, the present Criminal Revision is filed before this Court.

4. Learned counsel for the petitioner submitted that the Trial Court failed to consider that the petitioner is a citizen of India and he has been residing in Chennai along with his family members right from his birth and therefore, no chance of the petitioner absconding during the pendency of the proceedings. Learned counsel further submitted that the Trial Court also failed to consider that the criminal case was kept pending endlessly. However, the petitioner cannot be prevented from continuing his business from abroad, which is his livelihood. It is the contention of the learned counsel for the petitioner that unless the passport is returned to the petitioner, he will not be in a position to regain his business and he will be put to untold hardship. Hence, he prays to allow the criminal revision.



5.Learned counsel appearing for the Defacto Complainant raised serious objections for allowing this petition. According to him, the petitioner is arrayed as A1 in this case and it took 3 years to arrest the accused. He submitted that the Trial Court rightly dismissed the petition filed by the accused and interference of this Court is not necessary in the findings arrived at by the Trial Court.

6.On perusal of records, it is seen that the prosecution submitted before the Trial Court that if the passport is handed over to the accused, he will go to Malaysia and stay there, which will affect the trial heavily. The Trial Court agreed with the submission made by the prosecution and the objection raised by them is that if the passport is handed over to the accused, he will go to Malaysia and stay there, which will affect the trial heavily, which will not be in the interest of justice and dismissed the petition.

7.This Court is of the view that the learned Trial Court has rightly dismissed the petition filed by the accused and the criminal revision filed by the accused is liable to be dismissed.



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WEB COPY 8. Accordingly, this Criminal Revision is dismissed.

25.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
pam

To

1. The Additional Metropolitan Magistrate
for Exclusive Trial of CCB Cases,
Egmore, Chennai,
2. The Inspector of Police,
Central Crime Branch,
EDF-1, Beta-1,
Chennai District - 8.
(Crime No.212/2020)
3. The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI, J.

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