



WEB COPY

CRL RC No. 2743 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 16-12-2025**

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**CRL RC No. 2743 of 2025**

1. Shahbaz Ansari  
S/o. Sultan Ansari, Village, Bihajori,  
P.S.Narayanpur Jamtara, Jharkhand  
State.

2. Iqbal Ansari  
S/O Sultan Ansari, Village, Bihajori,  
P.S.Narayanpur Jamtara, Jharkhand  
State.

3. Samshad Anasari  
S/O Sultan Ansari, Village, Bihajori,  
P.S.Narayanpur Jamtara, Jharkhand  
State.

Petitioner(s)

Vs

1. The State Rep By,  
The Inspector of Police  
Cyber Crime Cell, Team - C, CCB,  
Vepery, Chennai.  
Crime No.108 of 2022.

Respondent(s)

**PRAYER**

Criminal Revision is filed under Section 438 read with 442 of BNSS to set aside the order of dismissal for default in Crl.M.P.No.19617 of 2024 in CC No.2151/2024 which is on the file of XI Metropolitan Magistrate Court at Saidapet, Chennai.

For Petitioner(s): L Infant Dinesh

For Respondent(s): Dr.C.E.Pratap



Government Advocate (Crl.Side)

**ORDER**

The revision challenges the dismissal of the discharge petition filed by the petitioner, who has been charged for offence under Sections 419, 420 of IPC and Section 66D of Information Technology (Amendment) Act, 2008.

2. The petitioners moved the petition for discharge and the same was dismissed by the impugned order since the petitioners did not appear when the case was called and a Non-Bailable Warrant was pending against the petitioners.

3. The learned counsel for the petitioners would submit that the petitioners have subsequently recalled the NBW and the charges have not been framed so far and their petition may be heard on merits.

4. The learned Government Advocate (Crl.Side) confirms the fact that the charges have not been framed so far.

5. Considering the above facts, though the order of the learned Judge cannot be faulted as the petitioners did not appear during the hearing, this Court is inclined to grant one more opportunity to the petitioners to place their facts. Hence, the learned Magistrate may hear the petition on merits and dispose of it within a period of four weeks from the date of receipt of a copy of this order.



6. With the above observations, the impugned order is set aside and the criminal revision is disposed of.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The XI Metropolitan Magistrate Court at Saidapet, Chennai.

2. The Inspector of Police

Cyber Crime Cell, Team - C, CCB,

Vepery, Chennai.



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**SUNDER MOHAN J.**

dpa

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