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Crl.R.C.No.259 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2026

CORAM

THE HONOURABLE MR.JUSTICE **SUNDER MOHAN**

Crl.R.C.No.259 of 2026

P.Gowtham

...

Petitioner

Vs.

State rep. By
The Inspector of Police,
T4 Maduravoyal Police Station,
Chennai.

...

Respondent

Prayer: Criminal Revision Petition filed under Sections 438 and 442 of BNSS, 2023 to call for the records and set aside the order of remand passed as against the petitioners by the Judicial Magistrate, Poonamallee in Crime No.494 of 2025 dated 13.07.2025.

For Petitioner : Mr.Nalliappan
for Mr.R.Saravanapandiyan

For Respondent : Mr.R.Vinothraja,
Government Advocate(Crl. Side)



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ORDER

The revision has been filed challenging the remand order dated 13.07.2025 passed as against the petitioner.

2.This Court in a similar Revision viz., Crl.R.C.No.105 of 2026 had held that a revision is not maintainable against a remand order and relied upon the judgment of the Hon'ble Supreme Court in ***State v. N.M.T.Joy Immaculate*** reported in (2004) 5 SCC 729, and the subsequent judgment of the Hon'ble Supreme Court in ***Manubhai Ratilal Patel v. State of Gujarat*** reported in (2013) 1 SCC 314.

2. The learned counsel for the petitioner would submit that in the case of a co-accused, this Court on an earlier occasion had exercised its jurisdiction and interfered with remand order.

3.However, this Court is of the view that such orders came to be passed as the aforesaid judgments of the Hon'ble Supreme Court were not brought to the notice of this Court at the time of hearing.



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4. In view of the above, the Criminal Revision Case is dismissed, with liberty to the petitioner to work out his remedy before the appropriate forum.

5. The Registry is directed to return the certified copy of the impugned order to the petitioner forthwith.

06.02.2026

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
Speaking order/Non-speaking order
Tsg

To

1.The Judicial Magistrate, Poonamallee.

2.The Inspector of Police,
T4 Maduravoyal Police Station,
Chennai.

3.The ER Section,
Madras High Court.

3.The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.
Tsg

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