



WEB COPY

CRL RC No. 311 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 311 of 2026

R.Mathiyazhagan
S/o.Late. Raj,
No.7 SG Natarajan Street,
Muthamil Nagar Pammal,
Chennai - 600 075.

..Petitioner(s)

Vs

The State Rep.by, The Inspector of Police,
T9, Maraimalai Nagar Police Station,
Chengalpet District,
Chengalpet.

..Respondent(s)

Prayer: This Criminal Revision Petition is filed under Section 438 and 442 of BNSS, To set aside the order passed by the Learned Judicial Magistrate No.II, Chengalpattu in Crl.M.P.No.2635 of 2025 in CC.No.248 of 2025 by order dated 28.10.2025.

For Petitioner(s):

Mr.G.Mutharasu

For Respondent(s):

Mr.R.Vinothraja

Government Advocate (Crl. Side)

ORDER

The Revision challenges the dismissal of the petitioner's/defacto complainant's application seeking permission to withdraw a sum of Rs.3,00,000/- deposited by the accused, pursuant to the conditional order passed for releasing him on anticipatory bail.



2.The learned Judge while dismissing the said application has observed that the disposal of Rs.3,00,000/- deposited by the accused can be decided only after conclusion of trial.

3.The learned counsel for the petitioner would submit that the petitioner has proof to show that he has been cheated by the accused and if he is made to wait till the conclusion of trial, he would be put to irreparable loss and suffering, as he has already lost a sum of Rs.25,00,000/- by the act of the accused.

4.This Court is of the view that the question of whether the petitioner as complainant is entitled to the amount deposited by the accused can be decided only after the conclusion of the trial. However, considering the fact that the alleged occurrence took place in the year 2022, the learned Magistrate is directed to conclude the trial, within a period of six (6) months from the date of receipt of copy of this order.



5. Accordingly, the Revision is disposed of.

WEB COPY

12-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

TSG

To

1. The Judicial Magistrate No.II,
Chengalpattu.

2. The Inspector of Police,
T9, Maraimalai Nagar Police Station,
Chengalpet District,
Chengalpet.

3. The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN, J.

TSG

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