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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 7763 of 2026

CNR:{HCMA010647902026}

and

CRL MP No. 5526 of 2026

1. Mondem Sreenivasulu

Petitioner(s)

Vs

1. State Rep. by
The Inspector of Police, Edf-1, Central
Crime Branch, Avadi Commissionerate,
Chennai District.

2.V. Vinoth Kumar
S/o. Vijayakumar, No.656, TNBH,
Ayyapakkam, Chennai-600 077.

Respondent(s)

PRAYER

To set aside the impugned Order in Crl R.P. No.8 of 2026 on the file of the Learned Principal District and Sessions Judge, Thiruvallur and thus render justice.

For Petitioner(s): Mr. A. Krubakaran
for
Mr. A.Bhuvaneswaran
Ms.K.Nithyaa

For Respondent(s): Mr. A. Amarnath
Additional Public Prosecutor
for R1

Mr. M .Mohamed Yasin
for R2

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This petition has been filed, challenging the order passed in Crl. R.P. No.8 of 2026 on the file of the Principal District and Sessions Judge, Thiruvallur.

2. On the complaint lodged by the second respondent, the first respondent registered the FIR in Crime No.10 of 2026, alleging that the accused and the defacto complainant acquainted with each others, and subsequently, on the request made by the accused, the complainant invested a sum of Rs.1 Crore. Thereafter, the accused failed to invest the said amount in the business and also failed to share the profit.

3. After registration of FIR, the petitioner was arrested and the first respondent made a request to remand the accused before the Judicial Magistrate - I, Poonamallee. However, the learned Magistrate rejected the remand request on the ground that the first respondent failed to comply with the provisions under Section 35 of the BNSS. Further, the accused was not served with grounds of arrest. Aggrieved by the rejection of remand, the first respondent preferred revision and the same was allowed by order dated 11.03.2026 in Crl. R.P. No.8 of 2026, thereby setting aside the order of rejecting remand passed by learned Judicial Magistrate – I, Poonamallee.

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4. While pending investigation, the account of the petitioner has been frozen by the first respondent herein. Aggrieved by the same, the accused filed the petition before this Court to defreeze his account and permit him to operate his account. However, it was also dismissed and aggrieved by the same, the accused filed an appeal before the Honourable Supreme Court of India in S.L.P. Crl. No.17536 of 2026 and by an order dated 18.09.2026, permitted the accused to operate his account on condition that the petitioner shall deposit a sum of Rs.1 Crore to the credit of Registry of the Honourable Supreme Court of India.

5. Accordingly, the accused complied with the conditions and is operating his account. Even before registration of FIR as per the Memorandum of Understanding dated 14.02.2025, the accused paid a sum of Rs.25 Lakhs through online transaction to the second respondent herein. That apart, the first respondent now completed the investigation in Crime No.10 of 2026 and filed absconding charge sheet before the Judicial Magistrate – I, Poonamallee on 21.09.2026 and it is pending for taking cognizance. Therefore, at this stage the custodial interrogation of the petitioner is not required in the present case. Hence, this Court is inclined to set aside the order passed by the Revisional Court in Crl. R.P. No.8 of 2026.

6. Accordingly, the order dated 11.03.2026 passed in Crl. R.P. No.8 of 2026 on the file of the Principal District and Sessions Judge, Thiruvallur is

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hereby set aside and this criminal original petition is allowed on condition that the petitioner shall report before the Judicial Magistrate – I, Poonamallee daily at 10:00 am for a period of two weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

27-10-2026

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

To

1.The Principal District and Sessions
Judge, Tiruvallur.

2. The Judicial Magistrate I,
Poonamallee.

3. The Public Prosecutor,
Madras High Court.

4. The Inspector of Police, Edf-1,
Central Crime Branch, Avadi
Commissionerate, Chennai District.

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G.K.ILANTHIRAIYAN J.

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