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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

Crl.R.C.No. 11 & 47 of 2025 and 1793 of 2024

and

Crl.M.P.Nos. 102,103 & 272 of 2025 and 14704 & 14705 of 2024

CRL RC No. 11 of 2025

S.Marthamma,
W/o.Sairam, D.No.14, 200 Feet Road,
Ambedkar Nagar, Kollathur, Chennai - 600 099.
Now Residing At Plot No.1, Station Road,
Sivasakthi Nagar, Annanur, Chennai - 600 062.

..Petitioner(s)

Vs

State Through
The Inspector of Police,
Central Crime Branch, (Team – 16),
Land Grabbing Prevention Wing – II,
Vepery, Chennai - 600 007.

..Respondent(s)

CRL RC No. 47 of 2025

Mohamed Jaffer,
S/o. Kamaldeen,
No.2A, VGN Blue Bells,
No.30, Padma Street, VGN Avenue,
Mogappair,
Chennai - 600 037.

..Petitioner(s)

Vs

The Inspector of Police
CCB, Team 16, LFIW,
Vepery, Chennai-07.

..Respondent(s)



CRL RC No. 1793 of 2024

D.Hemakumar

S/o.Sdevendran, No.61, 3rd Street,
Venkateshwara Nagar,
Kodungaiyur, Chennai - 600 118.

..Petitioner(s)

Vs

State Rep. By

Inspector of Police, Team - XVI,
Central Crime Branch,
Anti Land Grabbing Cell,
Vepery, Chennai - 600 007.
In Cr.No.503/2011

..Respondent(s)

CRL RC No. 11 of 2025

Criminal Revision Case filed under Section 438 of BNSS, praying to call for the records and set aside the order passed by the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to Cheating Cases in Chennai), and CBCID Metro Cases, Egmore, Chennai-08 in an order dated 12.04.2024 in CMP.No.28876 of 2023 in CC.No.5417 of 2023 and thus render justice.

CRL RC No. 47 of 2025

Criminal Revision Case filed under Sections 438 r/w 442 of BNSS, praying to set aside the order in C.C.No.5417 of 2023 in Crl.M.P.No.28875/2023 made the order dated 07.11.2023 on the file of Metropolitan Magistrate for Exclusive Trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai.



CRL RC No. 1793 of 2024

Criminal Revision Case filed under Section 438 of BNSS, praying to call for the records and set aside the order dated 11.12.2023 passed in Crl.M.P.No.28877 of 2023 by learned Metropolitan Magistrate Court for CCB Cases and CBCID Metro Cases Egmore, Chennai-8 in C.C.No.5417 of 2023, on the file of learned Metropolitan Magistrate Court for CCB Cases and CBCID Metro cases Egmore, Chennai-8 in Crime No.503 of 2011 (on the file of the Inspector of Police, Central Crime Branch, Team XVI, Anti Land Grabbing Cell, Vepery, Chennai-600 007).

For Petitioner(s): Mrs.Ritachandrasekar,
for Ms.R.Meenakshi
in Crl.R.C.No.11 of 2025

For Petitioner(s): Mr.A.Thiyagarajan
in Crl.R.C.No.1793 of 2024

For Petitioner(s): No appearance
in Crl.R.C.No.47 of 2025

For Respondent(s): Mr.R.Kishore Kumar,
Govt.Advocate (crl Side)
in all Crl.R.Cs'

Mr.S.Senthilkumar
For Defacto Complainant
in all Crl.R.Cs'

COMMON ORDER

Challenging the impugned orders passed by the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai, in Crl.M.P.Nos.28875, 28876 and 28877 of 2023 dated 07.11.2023, 12.04.2024 and 11.12.2023



respectively, the petitioners have preferred the above Criminal Revision Cases.

Crl.R.C.No.11 of 2025 is filed by A7, Crl.R.C.No.1793 of 2024 is filed by A1 and Crl.R.C.No.47 of 2025 is filed by A5.

2. There was no representation on behalf of the petitioner/A5 in Crl.R.C.No.47 of 2025.

3. The learned counsel for the petitioners in Crl.R.C.No.11 of 2025 and Crl.R.C.No.1793 of 2024 vehemently contended that the findings rendered by the learned Magistrate are erroneous and that the petitioners have no nexus to the alleged crime. It is further contended that the names of the petitioners/A1, A5 and A7 were not included in the FIR and they have been subsequently implicated without any material evidence.

4. The learned counsel for the petitioner in Crl.R.C.No.11 of 2025 further submitted that the subject property does not belong to the defacto complainant and that the petitioner is a bona fide purchaser for valuable consideration. It is also contended that similarly placed co-accused have already been discharged and therefore the petitioner is also entitled to be discharged.

5. I have given my anxious consideration to either side submissions.

6. It is a well settled principle of law that while considering an application under Section 239 Cr.P.C., the Court has to look into the police report and the



documents filed along with it to ascertain whether there are sufficient grounds to proceed against the accused. At this stage, a detailed appreciation of evidence is not required.

7. On a perusal of the impugned orders passed by the learned Magistrate, it is seen that the trial Court has taken into consideration the materials collected during investigation, including the statements of witnesses and documentary evidence, and has referred to the role attributed to the accused persons, including A1, A5 and A7, in the chain of transactions relating to the subject property. The learned Magistrate has come to the conclusion that there are prima facie materials available to proceed against the accused.

8. The contentions of the petitioners that they are bona fide purchasers and had no knowledge of the alleged fraudulent transactions are matters of defence, which require appreciation of evidence and cannot be gone into at the stage of Section 239 Cr.P.C.

9. The contention regarding discharge of certain co-accused is also noted. However, the role attributed to each accused is distinct and the same cannot be a ground for discharge at this stage.

10. In view of the above, this Court does not find any infirmity or illegality in the orders passed by the learned Magistrate warranting interference.



11. At this juncture, the learned counsel for the petitioners sought for expeditious disposal of the case. Considering the fact that the case is of the year 2023, this Court is inclined to direct the learned Metropolitan Magistrate, for Exclusive Trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai, to dispose of the cases as expeditiously as possible, preferably within a period of one year from the date of receipt of a copy of this order.

12. Accordingly, these Criminal Revision Cases stand dismissed. Consequently, connected miscellaneous petitions are closed. However, the personal appearance of the petitioners in Crl.M.P.No.14705 of 2024 and Crl.M.P.No.103 of 2025 are dispensed with and they shall be represented by a counsel by filing appropriate application. The petitioners shall present before the Court below at the time of furnishing of copies, framing charges, questioning under Section 313 Cr.P.C., and at the time of passing judgment.

22-04-2026

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



To

1.The Metropolitan Magistrate for Exclusive Trial of CCB Cases
(Relating to Cheating Cases in Chennai),
and CBCID Metro Cases,
Egmore, Chennai-08.

2.The Inspector of Police,
Central Crime Branch, (Team – 16),
Land Grabbing Prevention Wing – II,
Vepery, Chennai - 600 007.

3.The Inspector of Police, Team - XVI,
Central Crime Branch,
Anti Land Grabbing Cell,
Vepery, Chennai - 600 007.

4.The Inspector of Police,
CCB, Team 16, LFIW,
Vepery, Chennai-07.

5.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN J.

cda

**Crl.R.C.No. 11 & 47 of 2025 and 1793 of 2024
and
Crl.M.P.Nos. 102,103 & 272 of 2025 and 14704 & 14705 of 2024**

22-04-2026