



Crl.R.C.No.118 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2026

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C.No.118 of 2026

Vasanth

...Petitioner

-Vs-

State Rep. By
The Inspector of Police,
T-4, Madhuravoyal Police Station,
Chennai.
Crime No.495 of 2025

...Respondent

PRAYER: Criminal Revision Petition is filed under Sections 438 r/w 442 of BNSS, praying to call for the records and set aside the remand order dated 13.07.2025 passed as against the petitioner/A1 by the learned Judicial Magistrate, Poonamallee, in Crime No.494 of 2025.

For Petitioner : Mr.Balaji Sankara Moorthy

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



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ORDER

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The revision has been filed challenging the remand order dated 13.07.2025, mainly on the ground that the grounds of arrest were not communicated to the accused.

2. The learned Government Advocate (Crl. Side) for the respondent raised a preliminary objection stating that the revision is not maintainable against a remand order and relied upon the judgment of the Hon'ble Supreme Court in ***State Represented by Inspector of Police and others v. N.M.T.Joy Immaculate*** reported in (2004) 5 SCC 729, and the subsequent judgments of the Hon'ble Supreme Court.

3. The learned counsel for the petitioner fairly conceded that the proposition of law is well settled and that no revision is maintainable against a remand order.

4. In the judgment of the Hon'ble Supreme Court in ***State Represented by Inspector of Police and others v. N.M.T.Joy Immaculate*** (cited supra), the Hon'ble Supreme Court has observed that the legality or otherwise of a remand order cannot be challenged by way of a criminal revision and that the aggrieved person has to work out his remedy in the manner known to law.



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5. The said principle was subsequently followed by the Hon'ble Supreme Court in *Manubhai Ratilal Patel v. State of Gujarat* reported in **(2013) 1 SCC 314**.

6. Therefore, this Court is of the view that no criminal revision is maintainable against a remand order and it is for the petitioner to work out his remedy in accordance with law.

7. It is also brought to the notice of this Court that earlier this Court had exercised revisional jurisdiction and interfered with remand orders. The aforesaid judgments of the Hon'ble Supreme Court were not brought to the notice of this Court when those cases were decided.

8. In view of the above, the Criminal Revision Case is dismissed with liberty to the petitioner to work out his remedy in accordance with law.

9. The Registry is directed not to register or entertain any criminal revision filed challenging remand orders.

02.02.2026

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SUNDER MOHAN, J.

cda

To

- 1.The Judicial Magistrate, Poonamallee.
- 2.The Inspector of Police,
T-4, Madhuravoyal Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court, Madras.

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