



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 17229 of 2026

Vaibhav Marlecha

..Petitioner(s)

Vs

1. The Commissioner of Police
Greater Chennai Police,
Commissionerate,
Vepery,
Chennai.
2. The Inspector Of Police
Elephant Gate Police Station,
Chennai.
3. The Deputy Commissioner of Police-II,
CCB-Chennai, EDF II.

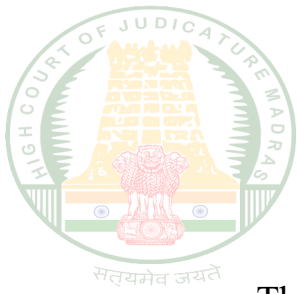
..Respondent(s)

[R3, is suo motu impleaded as per the order
of this Court dated 03.07.2026.]

Prayer: This petition is filed under Section 528 of BNSS to direct the 2nd respondent to produce the recovered articles in Crime No.369 of 2025 before the Jurisdictional Court in a time bound manner and pass such further or other orders.

For Petitioner(s): Mr.A.Mohamed Ismail

For Respondent(s): Mr.R.Rajasekaran, G.A.(Crl. Side)



ORDER

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The prayer in this Criminal Original Petition is to direct the respondent Police to produce the silver articles which are recovered so far.

2. The background facts, in which the case in Crime No.369 of 2025 arises, is that several persons, including the petitioner, entrusted their silver articles to the accused for polishing and without returning the same, the accused decamped with the silver articles belonging to many complainants. The grievance of the complainant is that when a portion of the silver articles has already been recovered, the same is also not produced before the Court concerned.

3. When the matter is taken up for hearing, the learned Government Advocate (Criminal Side) for the respondents would submit that the investigation, in this case, has already been transferred to the Deputy Commissioner of Police, CCB-Chennai, EDF-II, in view of the value involved in the case. It is further submitted that so far, approximately, 365 kgs of silver has been recovered. However, in view of the change of investigation, the new Investigating Officer has to take custody from the previous Investigating Officer and thereafter, it has to be produced before the Court concerned.



4. When the valuables have been seized, especially, the persons like the petitioner and the other complainants have lost their articles and only if the already seized articles are produced before the Court concerned, it will entitle them to move the Court concerned for interim custody of their respective articles.

5. In view thereof, this Criminal Original Petition is disposed on the following terms:-

(i) Within two weeks from the date of receipt of a web-copy of this order, the present Investigating Officer, by following due procedure, shall take charge of the silver articles from the erstwhile Investigating Officer and immediately, within 24 hours therefrom, produce the same before the Court concerned;

(ii) Upon production of the same, the Court concerned shall deal with the same in accordance with law.

03-07-2026

Neutral Citation: No
PVS



To

1. The Commissioner of Police
Greater Chennai Police,
Commissionerate,
Vepery,
Chennai
2. The Deputy Commissioner of Police-II,
CCB-Chennai, EDF II
3. The Inspector Of Police
Elephant Gate Police Station,
Chennai.
4. The Public Prosecutor,
High Court, Madras.

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D.BHARATHA CHAKRAVARTHY, J.

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