



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 18694 of 2026

B.Jayalakshmi

..Petitioner(s)

Vs

State represented by,
The Inspector of Police,
V-5 Thirumangalam Police Station,
Anna Nagar West,
Chennai – 600 101.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS, to set aside order dated 07.11.2025 made in Crl.R.C.No.54 of 2025 on the file of the learned Principal Judge, City Civil Court, Chennai partly allowed the order dated on 10.05.2024 made in Crl.M.P.No.11548 of 2024 on the file of the XIII Metropolitan Magistrate Court at Egmore by allowing this Criminal revision petition and further direct the respondent police to return the petitioner's mobile phones and original trust deed and amended deed and passport along with the listed articles to the petitioner.

For Petitioner(s):

Mr.L.K.Charles Alexander

For Respondent(s):

Mr.R.Rajasekaran

Government Advocate (Criminal Side)



ORDER

WEB COPY

This Criminal Original Petition has been filed against the order dated 10.05.2024 made in Crl.M.P.No.11548 of 2024 on the file of the XIII Metropolitan Magistrate Court, Egmore which was partly allowed by the learned Principal Judge, City Civil Court, Chennai. The petitioner seeks to allow this petition and further direct the respondent police to return the petitioner's mobile phones, original trust deed, amended deed, and passport, along with the listed articles to the petitioner.

2. Upon considering the arguments of the learned Counsel for the petitioner and the learned Government Advocate (Criminal Side), the allegation against the petitioner is that the defacto complainant has given a complaint stating that by misusing his name and his foundation's name, the petitioner has collected donations and misappropriated the said money.

3. On the strength of the allegations, a case in Crime No.311 of 2022 was registered for offences under Sections 420 and 465 of the IPC and the same is under investigation. In the course of the investigation, as many as 24 items of property, which included certain documents and material objects were seized from the petitioner and presented before the Trial Court.



4. The petitioner filed the application in Crl.M.P.No.11548 of 2024 for the return of these articles, which included the mobile phones and the passport.

While the Trial Court dismissed the application in its entirety, the learned Principal Sessions Judge allowed the Revision in part and directed the return of the mobiles on certain conditions after their receipt from the FSL Department.

5. The learned counsel would submit that with reference to the mobiles, the condition to execute a bond of Rs.1,00,000/- with two sureties is on the higher side. Furthermore, as far as the passport is concerned, the same was not considered at all by the learned Principal Sessions Judge.

6. Per contra, the learned Government Advocate (Criminal side) for the respondent would submit that by relying upon the counter affidavit filed, that in the course of the investigation they were able to unearth several fraudulent activities that are done by the petitioner in online platforms. These included contacting members of the public over the telephone, meeting them privately and falsely representing that she was operating Sneham Foundation, and dishonestly inducing them to part with money by exploiting the goodwill and reputation of the defacto complainant's registered charitable trust. It is further submitted that the mobiles phones are yet to be received back after forensic examination.



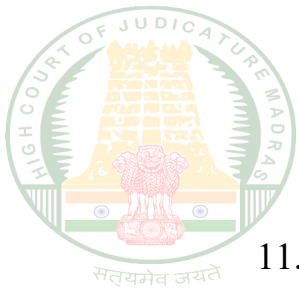
7. I have considered the rival submissions made on either side and perused the material records of the case.

WEB COPY

8. There are totally 24 items that were seized from the petitioner. As observed by the Trial Court regarding the other items, such as Identity cards and bank statements etc., copies of the same can be obtained by the petitioner from the other sources. The original trust deed and the other deeds seized are very much necessary for the purpose of the investigation/Trial and cannot be returned to the petitioner.

9. As far as the mobile phones are concerned, the learned Principal Session Judge ordered their return after examination by the forensic expert, and no exception can be taken with reference to the same. Regarding the condition imposed, the petitioner states that they have already furnished the surety.

10. Further, it is the case of the petitioner that she needs the passport to travel abroad, as she conducts several cultural programmes. In this case, it can be seen that neither in the bail conditions or in any other proceedings retention of the passport was made a condition.



11. In that view of the matter, the petitioner will be entitled to the return of the passport, subject to the conditions imposed hereinafter.

12. This Criminal Original Petition is allowed on the following terms:

(i) As far as the mobile phones are concerned, a web copy of this order shall be forwarded to the concerned FSL Department. The FSL Department is requested to give priority to the analysis of the petitioner's mobile phone and as soon as the petitioner's mobile phone are returned to the Trial Court, they shall be returned to the petitioner, on due conditions;

(ii) As far as the passport is concerned, the original passport shall be returned to the petitioner after retaining a copy thereof. The petitioner shall file an affidavit before the Investigating Officer detailing the date of travel, country of travel, addresses and the contact number where the petitioner will be available during her visits abroad and immediately before travel and after returning, the petitioner shall inform the Investigating Officer in writing about the dates of travel and arrival.

13. With the aforesaid conditions, the original passport shall also be returned to the petitioner. As and when the final final report is taken on file, if the petitioner wants to travel abroad, the petitioner must make an express application before the Trial Court. Upon permission from the Trial Court, and



on such conditions as may be imposed by the Trial Court, the petitioner will be entitled to travel abroad.

WEB COPY

16-07-2026

Neutral Citation: Yes/No
jas

To

1. The Inspector of Police,
V-5 Thirumangalam Police Station,
Anna Nagar West,
Chennai – 600 101.
2. The Principal City Civil Court, Chennai.
3. The XIII Metropolitan Magistrate Court,
Egmore.
4. The Public Prosecutor,
Madras High Court.



WEB COPY

CRL OP No. 18694 of 2



D.BHARATHA CHAKRAVARTHY, J.

jas

CRL OP No. 18694 of 2026

16-07-2026