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CrI.O.P.No.24045 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2026

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.24045 of 2018

ELEPHANT G.RAJENDRAN

... Petitioner

Vs.

1.The Inspector General OF Police,
IDOL THEFT WING C.I.D., OLD SIPCOT BUILDING, INDUSTRIAL
ESTATE, GUINDY, CHENNAI-32.

2.SARABHAI FOUNDATION,
PUBLIC CHARITABLE TRUST, REGISTERED UNDER BOMBAY
PUBLIC TRUST ACT, 1950, THE RETREAT, OPP-UNDERBRIDGE,
SHAHIBAG, AHMEDABAD-380 004. REPRESENTED BY THE
TRUSTEE AND AUTHORISED SIGNATORY,
GIRA SARABHAI

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Cr.P.C.
praying to issue direction to the 1st Respondent/Investigation Team
constituted by this Court headed by Mr.Pon Manicavel, Inspector General
of Police to seize, recover all the 36 idols and 3 bronze lamps and 8
artifacts and produce before this Court.

For Petitioner : Mr.Elephant G.Rajendran
(party in person)

For Respondents
For R1 : Mr.A.Gopinath,
Government Advocate (crl.side)



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For R2 : Mr.A.Ramesh,
Senior Counsel
for Mr.B.A.Sujay Prasanna

ORDER

This criminal original petition has been filed praying to issue direction to the 1st Respondent/Investigation Team constituted by this Court headed by Mr.Pon Manicavel, Inspector General of Police to seize, recover all the 36 idols and 3 bronze lamps and 8 artifacts and produce before this Court.

2. The case of the prosecution is that the petitioner visited the museum of the second respondent and found antique idols of hindu deities. The second respondent filed petition in Crl.OP.No.19904 of 2018 thereby admitted that there are 36 bronze idols, 3 bronze lamps and 8 different stone artefacts in their museum. Those idols are huge dimension and are stolen idols from the hindu temples of Tamilnadu. Therefore, already the first respondent was constituted under the head of Mr.Pon. Manicavel to deal with the idol theft cases. Therefore, the petitioner sought for direction to the first respondent to seize and recover the idols from the second respondent.



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3. First of all, this petition is with omnibus allegations and the petitioner also failed to state as to what is his locus to seek such direction. Already the first respondent was constituted by this Court and they are dealing with the stolen idols. The petitioner did not even mention as to what case was registered against the second respondent on complaint. Therefore, without any piece of evidence to show that any case is registered against the second respondent, such direction cannot be issued to the first respondent. That apart, the entire allegations are in the form of public interest litigation and the petitioner ought to have approached the appropriate court for appropriate relief. Further, the entire pleadings are corrupt of facts and omnibus prayer cannot asked for and as such, this criminal original petition is liable to be dismissed.

4. Accordingly, this criminal original petition is dismissed.

17.03.2026
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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

The Inspector General OF Police,
IDOL THEFT WING C.I.D., OLD SIPCOT BUILDING, INDUSTRIAL
ESTATE, GUINDY, CHENNAI-32

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