



Crl.R.C(MD)No.569 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.02.2026**

CORAM

THE HONOURABLE **MR.JUSTICE MOHAMMED SHAFFIQ**

CRL.R.C.(MD)No.569 of 2019

Puthuaaru Financial Services Private Limited,
Represented by its,
Chief Operating Officer,
C.Balaji

... Petitioner

vs.

1.The Sate of Tamil Nadu,
Represented through its,
The Inspector of Police,
Taluk Police Station,
Thanjavur District.
Crime No.122 of 2010.

2.Mahendran

... Respondent

PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records of Judicial Magistrate, Pattukkottai in C.M.P.No.15675 of 2011, dated 30.12.2011 and set aside the 3rd condition imposed in the said order.

For Petitioner : Mr.M.Mahendra Prabhu

For R-1 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

For R-2 : Mr.P.Santhana Krishnan



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ORDER

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Heard Mr.M.Mahendra Prabhu, learned Counsel for Revision Petitioner and Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor for 1st Respondent and Mr.P.Santhana Krishnan, learned Counsel for 2nd Respondent.

2. This Criminal Revision Petition has been filed to set aside the order dated 30.12.2011 passed by Judicial Magistrate, Pattukkottai in C.M.P.No.15675 of 2011, insofar as 3rd condition is concerned.

3. Mr.M.Mahendra Prabhu, learned Counsel for Revision Petitioner would submit that Revision Petitioner was working as Chief Operating Officer in Puthuaaru Financial Services Private Limited at Udayasuriyapuram, Pattukkottai Taluk. On 30.05.2010, Petitioner lodged a complaint, based on which a case was registered in Crime No.122 of 2010 for offences under Section 457, 380 IPC. According to the complaint, gold jewels worth about 5.90 kilograms ie., 738 sovereigns were stolen from Petitioner's company. During investigation, some of the accused involved in the crime were arrested, and a portion of such jewels were recovered. Respondent Police recovered a sum of Rs.5 lakh, which



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was produced before Judicial Magistrate, Pattukkottai and taken into custody in C.P. No. 276 of 2011. In these circumstances, Petitioner filed an application under Section 451 Cr.P.C. in C.M.P. No. 15675 of 2011 before Judicial Magistrate, Pattukkottai, which was allowed by order dated 30.12.2011, subject to following conditions:

- “1. that the petitioner shall execute a bond for Rs.5,50,000/- with one surety for likesum;*
- 2. that the petitioner shall produce photograph of the cash property duly signed by him and by the police;*
- 3. that the petitioner shall produce the cash property as and when required by this court;*
- 4. that the petitioner shall execute a muchalika to the above effect;”*

4. Petitioner is aggrieved by the condition stipulated in Clause 3, which is understood by Petitioner to require production of the cash property, i.e., the very same currency notes of the same denominations, as and when directed by the Trial Court. Petitioner only seeks clarification that producing the sum of Rs.5,50,000/- which was granted for interim custody, would constitute adequate compliance.



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5. This Court finds that if the Trial Court intends to impose a condition requiring the Petitioner to produce the very same currency notes of the same denominations as and when directed by the Trial Court, it would lead to an obnoxious result and defeat the very object of granting interim custody. In that view of the matter, this Court clarifies that, as and when directed by the Trial Court, the Petitioner shall produce Rs.5,50,000/- in cash.

6. With the above clarification, this Criminal Revision Case is **disposed of**. There shall be no order as to costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Nsr

09.02.2026

To:

- 1.The Judicial Magistrate, Pattukkottai.
- 2.The Inspector of Police,
Taluk Police Station,
Thanjavur District.
Crime No.122 of 2010.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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MOHAMMED SHAFFIQ, J.

Nsr

Order made in
CrI.R.C(MD)No.569 of 2019

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