

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Crl.R.C.No.1102 of 2014

S.Veeramanikandan

... Petitioner/Accused

Vs

1. The State Rep. By its
Inspector of Police,
Rural Police Station,
Tirupur District. 1st Respondent/Complainant
2. Mr.Manikandan 2nd Respondent/Defacto
Complainant

Criminal Revision filed under sections 397 and 401 of Criminal Procedure Code to call for the records and to set aside the order passed in Crl.M.P.No.4943 of 2014 on the file of the Judicial Magistrate II, Tirupur, dated 14.08.2014 and also to pass orders to return the petitioner's properties of Gym Equipments to the petitioner forthwith.

For Petitioner : Mr.S.Sugendran

For Respondents : Mr.C.Iyyapparaj,
Government Advocate (Crl. Side) [R1]
Mr.S.Jayakumar [R2]

सत्यमेव जयते
O R D E R

This revision challenges the order of learned Judicial Magistrate II, Tirupur, passed in Crl.M.P.No.4943 of 2014 dated 14.08.2014, rejecting a petition seeking return of 'gym equipments'.

2. First Respondent has seized the gym equipments belonging to the petitioner in connection with the case registered in Crime No.683 of 2014 on his file for offence under Section 380 IPC. Petitioner has moved Crl.M.P.No.4943 of 2014 before learned Judicial Magistrate II, Tirupur, seeking return thereof. Such petition came to be dismissed under orders of the Court below dated 14.08.2014 and hence, this revision.

3. Heard learned counsel for petitioner, learned Government Advocate (Crl. Side) for first respondent as also counsel for second respondent/defacto complainant.

4. Second respondent/defacto complainant has no objection for return of properties seized from the petitioner in this case.

5. Accordingly, this Revision shall stand allowed and the order of learned Judicial Magistrate II, Tirupur, passed in Crl.M.P.No.4943 of 2014 dated 14.08.2014 is set aside. Learned Judicial Magistrate II, Tirupur, is directed to return the gym equipments to petitioner upon the petitioner executing a personal bond in a sum of Rs.10,000/- (Rupees ten thousand only) to the satisfaction of learned Judicial Magistrate II, Tirupur.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsm

To

1. The Judicial Magistrate II,
Tirupur.
2. The Inspector of Police,
Rural Police Station,
Tirupur District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Ramesh, Advocate, S.R.No.5284

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SV(CO)
CA(27/02/2016)