



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

CRL.RC(MD) No.11 of 2016

WEB COPY

Best Money Gold
Represented by its authorized Officer,
R.Thanabal (aged about 27 years),
S/o.G.Rajendran,
54/1, Rajalakshmi Complex,
1st Floor, Konnavayan Salai,
Thathaneri Main Road,
Keezhavaithyanathapuram,
Madurai - 625 018.

...Petitioner/Petitioner

-vs-

The State represented by,
The Inspector of Police,
Sellur Police Station,
(Crime No.1237/2015)
Madurai.

...Respondent/Respondent

PRAYER: Criminal Revision Petition is filed, under Section 397 r/w 401 Cr.P.C., to call for the records in Cr.M.P.No.5766 of 2015 on the file of the Judicial Magistrate No.II, Madurai and to set aside the same and to provide any such relief.

For Petitioner: Mr.V.A.Dhana Aravindha Balaji

For Respondent: Mr.P.Kandasamy

Govt.Advocate (Crl.Side)

O R D E R

The complainant in a cheating case, aggrieved by the dismissal of his property return petition in Cr.M.P.No.5766 of 2015 on the file of the Judicial Magistrate No.II, Madurai has directed this revision.

2.There are two accused viz. A1 and A2. As per the prosecution version A1 sold considerable items of jewel to the defacto complainant. A2 is the maker of the jewel. Later defacto complainant lodged a complainant that what was sold to it is not pure gold. So a case of cheating has been registered by the police.

3.The company purchased the jewels without checking it and when it was melted it is found that it is a substandard jewel. The gold is in the form of ingot. Now, the petitioner seeks the interim custody of the ingot. This is a case of alleged cheating. Here the presence of ingot is very important. In such



circumstances, it being so important in this case, the learned Magistrate dismissed the petition. In the circumstances, I do not find any legality is in issue in the order passed by Magistrate.

4.This Criminal Revision fails and it is dismissed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To:

1.The Judicial Magistrate No.II,
Madurai.

2.The Government Advocate (Criminal Side)
Madurai Bench of Madras High Court,
Madurai.

3.The Inspector of Police,
Sellur Police Station,
Madurai.

+1cc to M/s.Dhana Law Associates, Advocate in SR.29339

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sj

PBK/DB 17/06/2016 ::2P-5C::