

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2017

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.R.C.No.1457 of 2016

Reliance Industries Limited
No.89 Dr.Radhakrishnan Salai
Mylapore, Chennai-600 004

represented by its

Authorized Signatory Sridhar Sathi

.. Petitioner

Vs.

State represented by
The Inspector of Police,
District Crime Branch
Thiruvallur District
Thiruvallur

.. Respondent

Criminal Revision filed under Sections 397 r/w 401 Cr.P.C. praying to set aside the order dated 26.08.2016 passed by the learned Judicial Magistrate II, Ponneri, in C.M.P.No.3834 of 2016 directing to return the original Registered Power of Attorney dated 11.07.2001 in Document No.510/2001 at Sub Registrar, T.Nagar which was executed by Kamatchiammal.

For Petitioner : Mr.N.R.Anantha Rama Krishnan

For Respondent : Mr.M.Mohammed Riyaz
Govt.Advocate (Crl.side)

सत्यमेव जयते
O R D E R

This revision arises against the order of the learned Judicial Magistrate II, Ponneri, passed in C.M.P.No.3834 of 2016 on 26.08.2016.

2. Petitioner is the authorized signatory of the company. Petitioner company purchased 2.12 acres S.No.1177/1 of Vallur village, from one Kamakshi Ammal represented by her power of attorney Devadoss. The general power of attorney in favour of R.Devadoss was registered as document No.510/2001 dated 11.07.2001 at SRO T.Nagar. Petitioner also contends that sale deed in their favour was registered as document No.801/2003, at

SRO Thiruvottiyur and of the time of sale, the original power of attorney was handed to R.Devadoss. The said Kamakshi Ammal lodged a complaint before respondent alleging that her signatures were forged in the power of attorney and a case was registered in Crime No.58 of 2010. The original power of attorney was sent for obtaining expert opinion by the respondent and it was found genuine. The original power of attorney was returned to the learned Judicial Magistrate II, Ponneri. Crime No.58 of 2010 was closed as a mistake of fact. Petitioner sought return of the same and moved C.M.P.No.3834 of 2016 which was dismissed by order dated 26.08.2016. There against present revision stands filed.

3. Heard the learned counsel for petitioner and the learned Government Advocate (Crl.side) for respondent.

4. Admittedly, the document return of which is sought has been seized from the petitioner in connection with case registered in Crime No.58 of 2010. After investigation, a referred charge sheet has been filed informing the case as one of mistake of fact. In the circumstances, there is no impediment to return the document to the petitioner.

5. In the result, the Criminal Revision is allowed. The order of the learned Judicial Magistrate II, Ponneri, passed in C.M.P.No.3834 of 2016 on 26.08.2016 is set aside. Court below is directed to return document sought by petitioner.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate II, Ponneri
2. The Inspector of Police, District Crime Branch
Thiruvallur District, Thiruvallur
3. The Public Prosecutor, High Court
Madras

+lcc to Mr.Anantharama krishnan, Advocate, S.R.No.7235

CRS (CO)
RS (15/03/2017)

Crl.R.C.No.1457 of 2016