

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.R.C.No.1219 of 2018

K.Amutha

... Petitioner

Vs.

State rep. By
The Inspector of Police
Vigilance and Anti-Corruption
Vellore.
(V&A/C Cr.No.7/2017)

...Respondent

Prayer : This Criminal Revision Case filed under Section 397 read with 401 of Code of Criminal Procedure to set aside the order dated 06.10.2018 made in C.M.P.No.408 of 2018 in V & AC Cr.No.7 of 2017 by the learned Chief Judicial Magistrate Court, Vellore.

For Petitioner : Mr.R.Thirugnanam

For Respondent : Mr.R.Ravichandran
Government Advocate (Crl. Side)

ORDER

The Criminal Revision Case has been filed by the revision petitioner to set aside the order dated 06.10.2018 made in C.M.P.No.408 of 2018 in V & AC Cr.No.7 of 2017 by the learned Chief Judicial Magistrate Court, Vellore.

2. The petitioner herein is the wife of the accused in Cr.No.7 of 2017, and filed a petition under Section 457 (1) of Cr.P.C., before the learned Chief Judicial Magistrate Court, Vellore to return the seized money and gold jewels.

3. After adjudication, the learned Chief Judicial Magistrate Court, Vellore, dismissed the C.M.P.No.408 2018 on 06.10.2018, on the ground that the investigation has not been completed.

4. Against which, the revision petitioner has preferred the present Criminal Revision Case before this Court.

5. The case of the prosecution is that on 03.08.2017, the husband of the revision petitioner namely Mr.T.Kumar has demanded a sum of Rs.22,000/- from one Mr.T.Balaji, defacto complainant for sanctioning the bill amount for the works done by him and that the defacto complainant has made a complaint before the respondent police on 08.08.2017 at 09.30 am, and on the basis of the said complaint a preliminary enquiry was conducted and thereafter a trap was laid on 08.08.2017. Further the husband of the revision petitioner was arrested on 09.08.2017. During the investigation, the respondent police seized a sum of Rs.9,40,000/-, 26 sovereigns of gold jewels and currency counting machine from the husband of the revision petitioner. Thereafter, the respondent police filed a case in Crime No.7 of 2017.

6. Heard both sides and perused the materials available on record.

7. The learned counsel appearing for the revision petitioner would submit that the learned Chief Judicial Magistrate Court, Vellore, dismissed the C.M.P.No.408 2018 on the ground that the investigation is not completed and pleaded to grant liberty to file an appropriate petition after completion of investigation.

8. This Court has considered the request made by the learned counsel for the revision petitioner.

9. Accordingly, the Criminal Revision Case is dismissed. However, liberty is granted to the revision petitioner to file an appropriate petition after completion of investigation.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Chief Judicial Magistrate Court, Vellore.
- 2.The Public Prosecutor, High Court of Madras.
- 3.The Inspector of Police,
Vigilance and Anti-Corruption,Vellore.

+1 cc to Mr.R.Thirugnanam, Advocate Sr.No.78996

CrI.R.C.No.1219 of 2018

SAI (CO)

CSL/10.12.2018