



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifteenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL MISCELLANEOUS PETITION No.8994 of 2021

IN CRL OP.1702/2019

K.JEYAKRISHNAN

[PETITIONER]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, TEAM-5,
VEPPERY,
CHENNAI-07
CRIME NO.505/2015

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order to return the petitioner's original registered Title Deed in Document No.11940/2014, dated 10/11/2014, SRO Velachery, Deposited by the petitioner before the Hon'ble Metropolitan Magistrate Court(CCB Cases) at Egmore, Chennai-08 as a surety to the accused namely Viji @ Vijayakumari in Crl.O.P.No.1702/2019 order dated 28/01/2019 on the file of this Hon'ble Court in Crime no. 505/2015 on the file of the respondent police and thus render justice.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.K.KANNAN, Advocate for the Petitioner and of MR. A.GOPINATH, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

This Miscellaneous Petition has been filed under section 482 of Cr.P.C to pass an order to return the petitioner's original registered Title Deed in document No.11940/2014, dated 10.11.2014, SRO Velachery, deposited by the petitioner before the Hon'ble Metropolitan



Magistrate court (CCB case) at Egmore, Chennai-08 as a Surety to the accused namely Viji @ Vijayakumar in CrI.O.P.No.1702/2019 dated 28.01.2019 on the file of this Hon'ble court in crime No.505/2015 of the respondent police.

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2.The case of the prosecution is that the petitioner stood as a only surety to one of the accused namely M.Viji @ Vijayakumar, against whom the case was registered by the respondent police for alleged offences under sections 419, 467, 468, 471, 420 r/w 34 of IPC in Crime no 505/2015. The said Viji was granted bail in CrI.O.P.No.1702/2019 dated 28.01.2019 in Crime No.505/2015 on condition that he should deposit title deed worth Rs.40,00,000/ standing in his name or in the name of his friends and also execute a bond for Rs.10,000/- with two sureties. As per the order of this Hon'ble court, the petitioner stood as a surety to the said Viji before the Metropolitan Magistrate Court and the petitioner deposited the registered Title Deed in Document no.11940/2014 dated 10.11.2014, SRO Velachery. The present petition has been filed for the return of the title deed.

3.The learned counsel appearing for the petitioner submitted that the petitioner is unable to proceed with any further activities such as house construction with regard to developing of the property which is heavily affecting the petitioner's developmental activities. He further submits that the petitioner only stood as surety for the said accused and he is in no way connected with the alleged offences under sections 419, 467, 468, 471, 420 r/w 34 of IPC in Crime no 505/2015 and he submitted that no prejudice will be caused to the respondent police, if the tittle deed is returned. Hence, he prays to return the Tittle Deed.

4.The learned Government Advocate (CrI.Side) submitted that the investigation is pending in this case. Hence, he strongly opposed to return the Tittle Deed.

5. Considering the facts and circumstances of the case, since the investigation is not completed, and pursuant to the order of this court, the said Title deed was deposited as surety, the release of the said document may cause serious loss to the de-facto complainant. Therefore this petition doesn't merit acceptance Accordingly, this petition filed for the return of the said document is dismissed.

-sd/-

15/09/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



1 THE METROPOLITAN MAGISTRATE,
(CCB CASES), EGMORE, CHENNAI-8

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
TEAM-5, VEPPERY, CHENNAI-07

5 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH-I,
CHENNAI.

C.C. to M/S.K.KANNAN Advocate on payment of necessary charges

Order

in
CRL MP.8994/2021

in
CRL OP.1702/2019

Date :15/09/2021

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RW 05/10/2021