

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2021

CORAM :

THE HONOURABLE MR. JUSTICE P. VELMURUGAN

Crl. R.C. No.1066 of 2020

Palanisamy

... Revision Petitioner

Vs.

1.State represented by
Inspector of Police,
District Crime Branch (DCB),
Namakkal District.

2.Selvam T.M.R.

... Respondents

[R2 is suo motu impleaded as per order in
Crl.R.C.No.1066 of 2020 dated 30.11.2020]

Criminal Revision Case filed under Section 397 r/w. 401
Cr.P.C., against the order, dated 29.09.2020, passed in
C.M.P.No.64 of 2020 on the file of the Judicial Magistrate
Court, Komarapalayam.

For Petitioner : Mr.S.N.Arunkumar

For R1 : Mrs.T.P.Savitha
Government Advocate (Crl. Side)

सत्यमेव जयते
O R D E R

This Criminal Revision Case has been filed against the
order, dated 29.09.2020, passed by the learned Judicial
Magistrate, Komarapalayam, in C.M.P.No.64 of 2020, dismissing
the petition for return of property.

2.Heard the learned counsel for the petitioner and the
learned Government Advocate (Crl. Side) appearing on behalf of
the 1st respondent and perused the materials available on record.

3.On a perusal of the impugned order, it is seen that the
investigation has not been completed and charge-sheet is yet to
be filed. During the pendency of investigation, return of

property is purely within the discretionary powers of the Court. Therefore, this Court does not find any perversity or illegality in the order passed by the learned Judicial Magistrate.

4. Accordingly, this Criminal Revision Case is dismissed. The petitioner is at liberty to file a petition after filing of charge-sheet.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mkn

Note to Registry : Issue order copy on 07.04.2021

Copy to :

1.The Judicial Magistrate,
Judicial Magistrate Court,
Komarapalayam.

2.The Inspector of Police,
District Crime Branch (DCB),
Namakkal District.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.C.Ramkumar, Advocate, S.R.No.21841

+lcc to Mr.N.Manoharan, Advocate for
Defacto Complainant S.R.No.21821

AJB(CO)
CB(08/04/2021)

Cr1. R.C. No.1066 of 2020

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P. VELMURUGAN, J.

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01.04.2021

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