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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.18010 OF 2021

S.Anandan

... Petitioner

.Vs.

The State by
The Inspector of Police,
Sulur Police Station,
Coimbatore District.
(Crime No.380/2021)

... Respondent

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the dismissal order passed by the Learned Judicial Magistrate, Sulur at Coimbatore District in Crl.M.P.No.1286/2021, dated 12.08.2021.

For Petitioner : Mr.M.Mohamed Muzammil

For Respondents : Mr.A.Damodharan,
Additonal Public Prosecutor

ORDER

This Criminal Original Petition has been filed to set aside the dismissal order passed by the Judicial Magistrate, Sulur in Crl.M.P.No.1286 of 2021.

2. The learned counsel for the petitioner submitted that the petitioner is arrayed as A2 in Crime No.380 of 2021 for the offences under Section 3(2)(a), 3(2)(b), 4(2)(c) and 5(1)(a) of Immoral Traffic (Prevention) Act, 1956. Two mobile phones, wallet and one silver chain had been seized from the petitioner, for which, he had filed a petition in C.M.P.No.1286 of 2021 before the Judicial Magistrate, Sulur seeking return of property and the same was dismissed on 12.08.2021. Against which, the



present petition has been filed. He further submitted that though his wallet and silver chain also seized along with two mobile phones, now the respondent police had stated that they have not seized the wallet and silver chain.

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3. The learned Additional Public Prosecutor submitted that at the time of arrest of the petitioner, except the two mobile phones, no other articles were seized from the petitioner. He further submitted that the petitioner had acted as a pimp in this case, and according to the prosecution, he had taken the de-facto complainant to show the prostitutes, who were kept with them. As the petitioner's mobile phone contented important files, photographs, which are vital informations to investigate the case further, for the present, the mobile phones of the petitioner are necessary. After completion of investigation, if the mobile phones are not needed further, the same would be returned to him.

4. Recording the same, the above Criminal Original petition is dismissed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mrp/mdl

To

1. The Judicial Magistrate,
Sulur, Coimbatore.
2. The Inspector of Police,
Sulur Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Mohamed Muzammil, Advocate, S.R.No.52931

CRL.O.P.NO.18010 OF 2021

KSM(CO)
PBS/28/10/2021