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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2022

CORAM

THE HONOURABLE THIRU JUSTICE G.CHANDRASEKHARAN

CRL.R.C.NO.292 OF 2022

C.Sivasankari

... Petitioner

vs

The State
Represented by
The Inspector of Police,
Vigilance and Anti Corruption Branch,
Vellore.
(Cr.No.20/2021)

... Respondent

Criminal Revision Case filed under Section 397 r/w 401 of Criminal Procedure Code against the order dated 07.02.2022 in Crl.M.P.No.159 of 2022 passed by the learned Chief Judicial Magistrate, Vellore, Vellore District.

For Petitioner : Ms.C.Uma

For Respondent : Mr.E.Raj Thilak
Addl. Public Prosecutor

O R D E R

This petition is filed challenging the order passed in Crl.M.P.No.159 of 2022 by the learned Chief Judicial Magistrate, Vellore.

2. Crl.M.P.No.159 of 2022 was filed by the petitioner under Section 451 of Cr.P.C to return the Demand Draft bearing No.037003, dated 08.11.2021 drawn in favour of the petitioner. The Demand Draft was drawn for a sum of Rs.10,73,520/- (Rupees ten lakhs seventy three thousand five hundred twenty only). It was seized at the time of search and it is submitted by the respondent that the petitioner has not given any satisfactory explanations.



3. The learned counsel for the petitioner submitted that the petitioner executed a sale deed in favour of Uma Maheswari on 10.11.2021 and the said Uma Maheswari issued Demand Draft towards sale consideration. The validity of the Demand Draft is for three months and if the validity period is not extended, the petitioner would suffer monetary loss. Therefore, the petition was filed for returning the Demand Draft and it was dismissed by the trial court by order dated 07.02.2022. Challenging the said order, the present revision has been filed.

4. In response, the learned Additional Public Prosecutor submitted that the Demand Draft was deposited in Fixed Deposit in Cr.No.20 of 21 on the file of Vigilance and Anti Corruption Branch, Vellore.

5. Considered the rival submissions and perused the materials available on record.

6. Now it is seen that the Demand Draft bearing No.037003, dated 08.11.2021 for a sum of Rs.10,73,520/- (Rupees ten lakhs seventy three thousand five hundred twenty only) has been deposited in Cr.No.20 of 2021 of Vigilance and Anti Corruption on the file of Chief Judicial Magistrate Court, Vellore. Therefore, there is no question of losing any money by the petitioner. At the end of trial, the learned Chief Judicial Magistrate would pass appropriate orders with regard to the disbursement of Fixed Deposit amount with accrued interest. Learned Chief Judicial Magistrate, Vellore is directed to ensure that the fixed deposit is periodically renewed till the disposal of the case.

7. In view of the above observation, no further order is necessary. Accordingly, the Criminal Revision Case is disposed of.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

sr

To

1. The Chief Judicial Magistrate,
Vellore, Vellore District.



2. The Inspector of Police,
Vigilance and Anti Corruption Branch,
Vellore.

3. The Public Prosecutor,
High Court, Madras.

Copy To

The Section Officer,
Criminal Section,
High Court, Madras.

+1cc to M/s.C.Uma, Advocate, S.R.No.18754

Cr1.R.C.No.292 of 2022

SV(CO)
RLP(30/03/2022)