



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N.SATHISH KUMAR

CRIMINAL MISCELLANEOUS PETITION No.14507 of 2021

IN CRL.O.P.No.16775 of 2017

K.RAJU

[PETITIONER]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
E-10, KAYAR POLICE STATION,
KANCHEEPURAM DISTRICT.
CRIME NO.89 OF 2017.

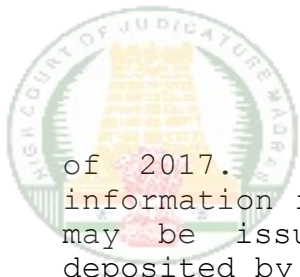
[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the Learned Magistrate to return the Deposit of a sum of Rs.3,00,000/- (Rupees Three Lakhs only) deposited in Crime No.89 of 2017 on 12.07.2017 before the Leaned Judicial Magistrate-I, Chengalpattu.

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.N.BAASKARAN, Advocate for the petitioner, and of M/S.R.VINOTH KUMAR, Govt. Advocate (Crl.Side) on behalf of the Respondent, the court made the following order:-

This application has been filed seeking a direction to return a sum of Rs.3 lakhs, which was deposited in pursuant to the direction of this Court vide order dated 27.06.2017 in Crl.M.P.No.7779 of 2017 in Crl.O.P.No.10882 of 2017.

2. The learned counsel for the petitioner submitted that pursuant to the order passed by this Court on 27.06.2017, the petitioner deposited the amount to the credit of Crime No.89 of 2017 before the Judicial Magistrate I, Chengalpattu, but subsequently the First Information Report in Crime No.89 of 2017 itself came to be quashed by this Court vide order dated 09.08.2019 in Crl.O.P.No.16775



of 2017. The learned counsel submitted that since the first information report itself has been quashed by this Court, a direction may be issued to the learned Magistrate to refund the amount deposited by the petitioner.

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3. This Court is of the view that since the very FIR itself has been quashed, the amount deposited by the petitioner shall be returned to him. Accordingly, learned Judicial Magistrate I, Chengalpattu is directed to return the sum of Rs.3,00,000/- (Rupees Three Lakhs only) deposited by the petitioner on an appropriate application being filed by the petitioner after verifying the identity of the person concerned.

-sd/-

06/01/2022

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.

TO

1 THE INSPECTOR OF POLICE,
E-10, KAYAR POLICE STATION,
KANCHEEPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

Copy To:

THE JUDICIAL MAGISTRATE,
NO.I, CHENGALPATTU.

C.C. to M/S.N.BAASKARAN Advocate on payment of necessary charges

Order

in
CRL MP.14507/2021
in
CRL OP.16775/2017

Date :06/01/2022

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TA-07/02/2022