



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 03/02/2022

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

CRL RC(MD) . No.14 of 2022

Muruganantham,
S/o.Alagu Pillai.

... Petitioner/Petitioner

Vs

The Inspector of Police,
District Crime Branch,
Dindigul District.
(Crime No.17/2021).

... Respondent/Respondent

Prayer : This criminal revision case is filed under Sections 397 and 401 of Cr.P.C., to call for the records pertaining to the order dt. 27/10/2021 made in Crl.MP.No.10203/2021 by the learned Judicial Magistrate No.II, Dindigul and set aside the same.

For Petitioner : Mr.J.Imran Khan

For Respondent : Mrs.M.Aasha,

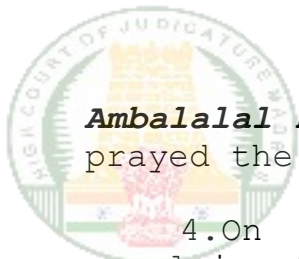
Government Advocate (Crl.Side)

O R D E R

This Criminal Revision Case has been filed to set aside the order in Crl.MP.No.10203/2021 dated 27.10.2021, passed by the learned Judicial Magistrate No.II, Dindigul.

2.A case in Crime No.17 of 2021 was registered against the petitioner and others. A sum of Rs.4,50,000/- was recovered from the petitioner and others. The petitioner filed petition in Crl.M.P.No.10203 of 2021, before the learned Judicial Magistrate No.II, Dindigul. That petition for return of the property was dismissed by the trial Court. Against the same, the petitioner has filed this revision.

3.On the side of revision petitioner, it is stated that the petitioner is not connected with the case and the petitioner is the father of the first accused. The name of the petitioner was unnecessarily included in the case. The trial Court has dismissed the petition stating that if the amount was returned to the petitioner, there is possibility of him to indulge in commission of offence again. The reason given by the trial Court is not reasonable and against the dictum of the **Hon'ble Supreme Court in Sundarbhai**



Ambalalal Desai Vs State of Gujarat, reported in **2003(1) CTC 175** and prayed the amount to be returned to the petitioner.

4.On the side of the respondent, it is stated that the complainant gave Rs.6,50,000/- for getting a job in the Court of Principal District Judge, Dindigul. The petitioner and others created false appointment order and forging the signature of the Principal District Judge. Totally three persons involved in the offence. The case in Crime No.17 of 2021, under Sections 420, 466, 468, 473, 120(b) IPC was registered against the petitioner and others. The complainant has also filed a petition for return of the property. That petition was also pending before the trial Court. The offence against the petitioner is serious in nature and prayed the petition to be dismissed.

5.The allegation against the petitioner is serious in nature. There is another petition filed by the *defacto* complainant for recovery of the cash amount, that petition is pending before the trial Court.

6.There is no reason sufficient enough to interfere in the order of the trial Court. Hence, this Criminal Revision case is dismissed. The trial Court is directed to take colour xerox of all the currency notes and then to deposit the cash amount in the fixed deposit scheme in a Nationalised Bank, till a decision is made regarding the ownership of the property.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

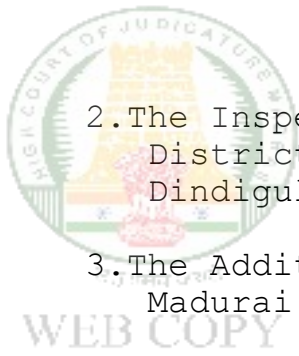
Sub Assistant Registrar(CS)

PNM

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1.The Judicial Magistrate No.II,
Dindigul.



2.The Inspector of Police,
District Crime Branch,
Dindigul District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

The Principal District Judge,
Dindigul.

+1 CC to M/s.J.IMRAN KHAN, Advocate (SR-4009[F] dated 03/02/2022)

ORDER

IN

CRL RC(MD) No.14 of 2022

Date : 03/02/2022

srr(CO)

GC(23.02.2022) 3P 6C