

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/09/2022

CORAM

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12376 of 2022

A. Palaniappan,
S/o. Annamalai, 4, Lrm Subbiah Ambalam
Aruna Nagar, Karaikudi, Sivagangai
District..

... Petitioner/Accused

Vs

1. The Inspector of Police,
Alagappapuram Police Station, Karaikudi,
Sivagangai District..

2. The Secretary,
Alagappa Chettiar Educational Trust,
Alagappapuram, Karaikudi, Sivagangai
District..

... Respondents/Complainants

Prayer: This Petition is filed under Section 439(1) (b) r/w. 482 Cr.P.C. to set aside the order dt. 27/04/2022 made in CrI.M.P.No.1462 of 2022 on the file of the Learned Principal Sessions Judge, Sivagangai and direct to return the title deeds deposited by the petitioner before the Principal District Munsif Cum Judicial Magistrate, karaikudi, pursuant to the orders made in CrI.M.P.No.1861 of 2017 on the file of the Sessions Judge, Sivagangai.

For Petitioner : M/s Anandkumar.J,

Advocate.
For Respondent : Mr.Vaikkam Karunanith,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed to set aside the order dt. 27/04/2022 made in Crl.M.P.No.1462 of 2022 on the file of the Learned Principal Sessions Judge, Sivagangai and to direct to return the title deeds deposited by the petitioner before the Principal District Munsif Cum Judicial Magistrate, karaikudi, pursuant to the orders made in Crl.M.P.No.1861 of 2017 on the file of the Sessions Judge, Sivagangai.

2. Heard the learned counsel appearing on either side and perused the materials on record.

3. Even though in the letter, the Principal District Judge, Sivagangai stating that the documents are available in the custody of this Registry, the learned counsel for the petitioner submitted that when the cancellation bail was moved by the respondent in Crl.O.P(MD).No.14169 of 2017, the same

was dismissed by this Court. Later the above said documents are returned back to the concerned Court. Now, it is available in the concerned Court.

4. In view of the undertaking filed by the petitioner that he will not sell the property Doc.No. 1714 of 2022 that document alone may be returned to the petitioner on getting proper identification acknowledgment and replacing the same with certified copy and also the undertaking must be filed before the concerned Court that and that he will not sell the property and will raise the loan amount only by mortgage as the case may be. If any violation is noticed, the respondents are at liberty to move the concerned Court for appropriate remedy even without reference to this Court.

5. Accordingly, this Criminal Original petition is partly allowed.

(G I J)
01.09.2022

TRP

TO

1. The Inspector of Police,
Alagappapuram Police Station, Karaikudi,
Sivagangai District..
2. The Secretary,
Alagappa Chettiar Educational Trust,
Alagappapuram, Karaikudi, Sivagangai
District..
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD). No.12376 of 2022

G . ILANGOVAN , J

TRP

ORDER
IN
CRL OP (MD) No.12376 of 2022

Date : 01/09/2022