



Crl.R.C.Nos.1118, 1121, 1122, 1123, 1124 and 1127 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.07.2023

CORAM:

THE HONOURABLE MRS. JUSTICE R.HEMALATHA

Crl.R.C.Nos.1118, 1121, 1122, 1123, 1124
and 1127 of 2023

Crl.R.C.No.1118/2023

Senthil Kumr

...Petitioner

Vs.

State represented by
The Sub-Inspector of Police
Omalur Police Station,
Salem District.

...Respondent

Prayer: Criminal Revision Case filed under Sections 397 read with Section 401 of Cr.P.C. to set aside the order dated 18.04.2023 in C.M.P.No.1337 of 2023 (Crime No.613 of 2022) passed by the learned Judicial Magistrate, Omalur.

For Petitioner : Mr.P.Jagadeesan

Respondent : Mr.J.Subbiah,

Government Advocate (Crl.Side)

COMMON ORDER

These criminal revision cases are directed against the orders dated
18.04.2023 in C.M.P.Nos.1337, 1341, 1336, 1335, 1338, 1339 of 2023 in



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Crime No.613 of 2022 passed by the learned Judicial Magistrate, Omalur.

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2 The petitioners filed petitions under Section 457 and 451 Cr.P.C. for return of Silver Bars. The learned Magistrate after receiving reply from the respondent police, dismissed all the petitions filed by the revision petitioners on the ground that the revision petitioners did not adduce any acceptable evidence to prove their ownership of the property.

3 Learned counsel appearing for the revision petitioners fairly sated that he did not produce any document to prove the ownership of the properties and that he presently filing documents to show the ownership of the respective revision petitioners.

4 In the circumstances, this Court is inclined to remand the matter back to the learned Magistrate by directing the petitioners to produce those documents before the Magistrate and prove their ownership.



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5 Accordingly, the impugned orders dated 18.04.2023 in

WEB CO C.M.P.Nos.1337, 1341, 1336, 1335, 1338, 1339 of 2023 in Crime No.613

of 2022 passed by the learned Judicial Magistrate, Omalur, are hereby set aside and the matter is remanded back to the learned Magistrate for fresh consideration. All the petitioners are directed to produce the original documents before the learned Magistrate to prove their ownership of the properties. The learned Magistrate, upon production of such documents, pass orders strictly on merits and in accordance with law.

6 With the above directions, these criminal revision cases are disposed of.

05.07.2023

Index: Yes/No
Speaking/Non-Speaking order
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To

1. The Judicial Magistrate, Omalur.
2. The Sub-Inspector of Police, Omalur Police Station, Salem District.
3. The Public Prosecutor, High Court of Madras.



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R.HEMALATHA, J.,

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