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Crl.OP.No.27407 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.27407 of 2022

U.Rajathi

... Petitioner

Vs.

The State represented by
The Inspector of Police,
CCB Team – XXV, Egmore,
Chennai – 600 008.
(Crime No.417 of 2010)

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the Special Metropolitan Magistrate Court, (Land Grabbing Cases-I), Periamet, Chennai to return back the petitioner's original Titile Deed in Document No.3446 of 1999, dated 09.09.1999 which was deposited for surety stood for the petitioner's husband U.Udayakumar to the petitioner's husband U.Udayakumar.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.S.Santhosh
Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition is filed for directing the Special Metropolitan Magistrate Court, (Land Grabbing Cases-I), Periamet, Chennai to return back the petitioner's original Title Deed in Document No.3446 of 1999, dated 09.09.1999, which was deposited when the petitioner stood as surity for the petitioner's husband U.Udayakumar.

2. The learned counsel for the petitioner submitted that the petitioner's original Document No.3446 of 1999 dated 09.09.1999 is lying before the Special Metropolitan Magistrate Court, (Land Grabbing Cases-I), Periamet, Chennai. This document was produced by the petitioner before the Court, while she stood as a surety for her husband namely U.Udayakumar for bail in C.C.No.41 of 2013. This case was quashed by this Court on 05.08.2022. Therefore, the present petition is filed for returning the aforesaid document of the petitioner.

3. On enquiry, the learned counsel for the petitioner submitted that petitioner has not moved any petition before the learned Special Metropolitan



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Magistrate Court, (Land Grabbing Cases-I), Periamet, Chennai for return of the documents. It is further submitted that petitioner is ill and she is unable to move.

In that case, the petitioner may give some power of attorney to her husband or some one she can trust and file an appropriate petition before the Special Metropolitan Magistrate Court, (Land Grabbing Cases-I), Periamet, Chennai for return of documents. On such filing of the petition, the Special Metropolitan Magistrate Court, (Land Grabbing Cases-I), Periamet, Chennai is directed to consider the petition and pass orders on merits in accordance with law, within a period of two weeks from the date of filing the petition.

4. Accordingly, this Criminal Original Petition is disposed of, with the aforesaid directions.

05.01.2023

Internet : Yes / No

Index : Yes / No

Speaking/Non speaking order

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G.CHANDRASEKHARAN,J.

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To

- 1.The Special Metropolitan Magistrate Court,
(Land Grabbing Cases-I), Periamet, Chennai
- 2.The Inspector of Police,
CCB Team – XXV, Egmore,
Chennai – 600 008.
- 3.The Public Prosecutor,
Madras High Court.

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