



WEB COPY

Crl.O.P.No.24150 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.10.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24150 of 2023

Indhumathi

... Petitioner

-VS-

State Rep by its,
The Inspector of Police,
Shevapet Police Station,
Salem District.
(Crime No.272 of 2021)

...Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to set aside the order passed in Crl.R.C. No.31 of 2022 dated 03.07.2023 on the file of the Additional District and Sessions Court No.III, Salem and subsequently grant interim custody of petitioner's amount a sum of Rs.33,05,800/-.

For Petitioner : Mr.C.Deepakkumar

For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl.Side)

ORDER

The petition filed challenging the order passed by the III Additional

<https://www.mhcd.org.in/> District and Sessions Judge, Salem in the revision petition filed for return of



interim custody of the cash seized in Crime No.272 of 2021 on the file of the Shevapet Police Station, Salem.

2. The case of the petitioner is that a sum of Rs.33,05,800/- belongs to the petitioner was seized in the course of investigation in Crime No.272 of 2021. However in view of the rival claim by one Madhan/A4, the trial Court as well as the Revision Court declined to release the interim custody of the money to the petitioner herein.

3. This Court finds no error in the said order. Investigation in this case is still pending. Since there are ownership dispute over the money, it is for the Investigation Officer to take a decision whether the money is any way connected with the offence and needed for trial, only after filing the final report, this fact will be concluded. The ownership is the second issue and has to be decided separately. Therefore, this petition is dismissed with liberty to the petitioner herein to workout her remedy after filing of the final report.

20.10.2023

Index : Yes/No
Neutral Citation : Yes/No
rkp



To

- 1.The Additional District and Sessions Judge,
Additional District and Sessions Court No.III, Salem.
- 2.The Judicial Magistrate No.III,
Salem.
- 3.The Inspector of Police,
Shevapet Police Station,
Salem District..
- 4.The Public Prosecutor,
Madras High Court, Madras.



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Dr.G.JAYACHANDRAN, J.

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