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CrI.R.C.No.1158 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.R.C.No.1158 of 2024

S.Noorudeen

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
J-9, Thuraipakkam Police Station,
Chennai District.
(Crime No.106 of 2023)

... Respondent

Prayer:

Criminal Revision Case filed under Section 397 r/w 401 of Criminal Procedure Code, seeking to set aside the order made in CrI.M.P.No.180 of 2024 in S.C.No.203 of 2023 dated 21.03.2024 pending trial on the learned Principal Sessions Judge, Chengalpattu.

For Petitioner : M/s.C.D.Johnson
For Respondent : Mr.A.Gopinath
Government Advocate (CrI. Side)

ORDER

This criminal revision has been filed seeking to set aside the order dated 21.03.2024 passed by the learned Principal Sessions Judge, Chengalpattu in CrI.M.P.No.180 of 2024 in S.C.No.203 of 2023.



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2.The case of the petitioner is that the petitioner filed a petition under Section 451 of Cr.P.C. seeking to return the Apple I Phone to the petitioner and the same was dismissed by the trial Court. Challenging the same, the petitioner has filed the present revision.

3.The learned counsel appearing for the petitioner submitted that the petitioner was implicated for the offence under Sections 109, 120(b), 302, 34, 341 of I.P.C. in Crime No.106 of 2023 and after investigation, the law enforcing agency filed charge sheet and after committal proceedings, the case was taken on file by the learned Principal Sessions Judge, Chengalpattu in S.C.No.203 of 2023 in which the petitioner filed petition seeking release of the Apple iPhone 13 Model No: A2631, Starlight 256 GB, IMEI No.354833965345156 which was seized at the time of investigation, however, the trial Court dismissed the said petition. Hence, without going into the merits of the case, this Court may grant liberty to the petitioner to file appropriate petition after completion of trial or at the relevant point of time.

4.The learned Government Advocate (Crl. Side) submitted that



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the Apple Iphone was marked as material object and it is very relevant for trial. Hence this Court may grant liberty to the petitioner to work out the remedy in the manner known to law after completion of trial.

5.In view of the above, this criminal revision case is dismissed. Liberty is granted to the petitioner to work out the remedy in the manner known to law after completion of trial.

11.07.2024

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1.The Principal Sessions Judge,
Chengalpattu.
- 2.The Inspector of Police,
J-9, Thuraipakkam Police Station,
Chennai District.
(Crime No.106 of 2023)



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M.DHANDAPANI,J.
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