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CrI.R.C.No.1715 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.11.2024

CORAM: MR.JUSTICE N.SESHASAYEE

CrI.R.C.No.1715 of 2024

K.Ramalinga Jothi

... Petitioner

Vs.

The Inspector of Police,  
Anti-Corruption Branch,  
Central Bureau of Investigation,  
Shastri Bhavan, Chennai.  
(Crime No.RC.MA1 2015 A 0030)

... Respondent

Prayer: Revision petition filed under Section 438 r/w 442 of BNSS, 2023, to call for the records and set aside the order passed by XI Additional Special Court for CBI Cases in CrI.M.P.No.5305 of 2024 dated 26.07.2024.

For Petitioner : Mr.T.Karthick Srinath

For Respondent : Mr.K.Srinivasan  
Special Public Prosecutor (C.B.I)

ORDER

The petitioner was arrayed as Accused No.396 in a case where the prosecution has met 446 accused persons in a matter involving multiple



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offences under various provisions of IPC and Prevention of Corruption Act, 1988.

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2. This Court is informed that the accusation against the present petitioner was that he had collected money indiscriminately from various persons, who were not eligible to be appointed as sweepers and messengers for the Bank in which he was working. That, however, is not very germane for the current purpose.

3. Earlier, in the course of investigation, the CBI is said to have frozen the Bank locker of the petitioner, which contained several gold jeweleries. Therefore, the petitioner approached this Court for releasing those jewelry, as he needed them for his daughter's marriage in Crl.R.C.No.749 of 2016, wherein this Court has directed the petitioner to substitute a security equivalent to the value of the jewelery. Accordingly, he tendered the original title deed of his residential property, and he now requires the said original document No. 4825 of 1989 to be substituted with a certified copy.



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4. Mr.K.Srinivasan, learned Special Public Prosecutor (CBI) has filed his counter and made his submissions too.

5.Heard both sides.

6. In the course of the argument, the learned counsel for the petitioner made a statement that the current value of the security, which is required to be furnished for a value of Rs.25,00,000/-, is 10 times more, and it is now worth around Rs.2.50 Crores. He also brought to the notice of the Court the undertaking given by the petitioner in Paragraph 10 of his affidavit, wherein the petitioner had undertaken that he would not alienate the property covered by the said document No.4825 of 1989.

7. In view of the undertaking given, this Court deems it appropriate to allow this petition, however, with a rider that the petitioner shall not alienate or otherwise encumber the property covered by the document No.4825 of 1989, without the permission of this Court.



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N.SESHASAYEE, J.

Anu

8. Accordingly, this Criminal Revision Case stands allowed. The order passed by the XI Additional Special Court for CBI Cases is set aside and the learned XI Additional Special Judge is directed to return the document No.8331 of 2011, Doc.No.8332 of 2011 and Doc.No.8333 of 2011, after substituting the same with the certified copy to be furnished by the petitioner.

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Anu

Index : Yes / No

Neutral Citation : Yes / No

To

1.The Inspector of Police,  
Anti-Corruption Branch,  
Central Bureau of Investigation,  
Shastri Bhavan, Chennai.

2. The XI Additional Special Court for CBI Cases

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