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Crl. O.P.No. 25896 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.10.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.25896 of 2024

R.Padmanabhan

.. Petitioner

Vs.

State rep by

The Inspector of Police,
J-5. Sastri Nagar Police Station,
Chennai.
(Cr.No.822 of 2019)

.. Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS /528 of Cr.P.C, to direct the learned IX Metropolitan Magistrate, Saidapet, Chennai to consider the copy application filed in C.A.No.3620 of 2024 dated 12.08.2024 seeking the issuance of certified copy of the cash security deposit receipt of the petitioner bearing Receipt No.83520 dated 10.02.2020 to the value of Rs2,85,000/- deposited in Cr.No.822/2019, on the file of respondent police.

For Petitioner : Mr.G.Samundeeswari

For Respondents : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)



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ORDER

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The petitioner herein has deposited a sum of Rs.2,85,000/- in the Court pursuant to the order passed by the Court while granting bail.

2. The petitioner stated that money was deposited on 10.02.2020, the Court has issued receipt bearing No.83520 for the same. Since the petitioner wants return of money, in view of the closure of the complaint, application been filed for certificate copy of the receipt stating that he has lost the original receipt issued by the Court.

3. The said copy application has been returned by the learned IX Metropolitan Magistrate, Saidapet, Chennai stating that only the xerox copy of the cash receipt is available in the Court and for the xerox copy, certificate copy cannot be issued.

4. Considering the facts and circumstances of the case, this Criminal Original Petition is disposed of with the following direction to the learned IX Metropolitan Magistrate, Saidapet, Chennai:



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“ The Court should verify whether there was any deposit under the receipt No.83520 dated 10.02.2020 as stated by the petitioner herein. If so deposited, whether it is still lying in the account or deposited in the Treasury. If the money not yet disbursed so far, shall entertain the application by the petitioner for return of money deposited by him in the light of action dropped by the respondent police”.

5. With the above directions, this Criminal Original Petition is disposed of.

21.10.2024

Vv

To

1. The Inspector of Police,
J-5. Sastri Nagar Police Station,
Chennai.

2. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN,J.

Vv

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