



WEB COPY



Crl.RC No.1836 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2024

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.1836 of 2024

R.Ganesh Kumar

... Petitioner

Vs.

The Inspector of Police,
A.V.S. (Anti-Vice Squad) Police Station,
Egmore Old Commissionerate Building,
Chennai District.
(Cr.No.20/2024)

... Respondent

PRAYER: Criminal Revision Case filed under Sections 438 r/w 442 of the BNSS, to call for the records relating to the order dated 23.09.2024 in C.M.P.No.3609 of 2024 on the file of the learned Judicial Magistrate No.1 at Alandur and set aside the same.

For Petitioner : Mr.R.Krishnan

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Crl. Side)

ORDER

The petitioner is the power agent of the landlord of the premises in which it is alleged that the tenant had committed the offences under the



Immoral Traffic (Prevention) Act on 03.09.2024. Pursuant to the registration of the FIR, the respondent had sealed the premises and the keys are in the custody of the respondent.

2. The learned Government Advocate (Criminal Side) on instructions submits that neither the petitioner nor his Principal one Reshmi, who is the landlord of the premises, are accused of the offences.

3. The sealing of the premises of a person who is not involved in the offence would not advance the case of the prosecution in any manner. In such circumstances, this Court is of the view that it would be appropriate that the keys of the house are handed over to the petitioner. Accordingly, it is ordered as follows:

(i) The petitioner shall execute a bond for a sum of Rs.10,000/-, with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Alandur;

(ii) On execution of the bond, the learned Magistrate shall handover the keys to the Investigating Officer, who shall go to the premises on the date fixed by the learned Magistrate and take inventory in the presence of of two respectable person in the locality and in the presence of the petitioner. The movable



WEB COPY



Crl.RC No.1836 of 2024

property if any, seized under Mahazar, shall be forwarded to the concerned Magistrate under Form-95;

(iii) Thereafter, the key of the premises shall be handed over to the petitioner; and

(iv) The petitioner shall file an undertaking before the learned Magistrate that he would cooperate with the investigation and permit the Investigating Officer to inspect the premises or to take over the premises, if necessary, in future, if, such action is warranted.

4. With the above direction, the Criminal Revision Case stands allowed.

04.11.2024

Index: Yes/No
Speaking/Non-speaking order
Neutral citation: Yes/No.
ars

To

- 1.The Judicial Magistrate No.1,
Alandur.
2. The Inspector of Police,
A.V.S. (Anti-Vice Squad) Police Station,
Egmore Old Commissionerate Building,
Chennai District.
- 3.The Public Prosecutor,



Madras High Court.

WEB COPY



CrI.RC No.1836 of 2024



WEB COPY



Crl.RC No.1836 of 2024

SUNDER MOHAN, J.

ars

Crl.R.C.No.1836 of 2024

04.11.2024