



Crl.R.C.No.1504 of 2019

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WEB COPY N.SESHASAYEE, J.

This case was disposed of by this Court vide its order dated 30.08.2024, and today it is listed under the caption "for being mentioned" at the instance of the learned counsel for the petitioner.

2.Heard both sides. The learned counsel for the petitioner submitted that the last sentence of the paragraph No.2 reads as below:

"..... pending investigation, the petitioner has taken out an application under Section 451 Cr.P.C. before the learned Judicial Magistrate, for return of her documents that she had executed in favour of the accused. "

3.The learned counsel added that the petitioner, the defacto complainant, only seeks return of her title documents which were executed in her favour by third parties.



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4.Dr.C.E.Pratap, the learned Government Advocate (Crl. Side) concurred the said submission.

5.Accordingly, the second last sentence in Paragraph No.2 is directed to be corrected as below:

".... Pending investigation, the petitioner has taken out an application under Section 451 Cr.P.C. before the learned Judicial Magistrate, for return of her documents which were executed in her favour by third parties. "

6. The Registry is required to carryout necessary correction in the 2nd paragraph of the order and host the same in the official website. If any certified copies has been issued to the petitioner, then the Registry is required to issue a fresh certified copy at free of charges.

30.10.2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

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CrI.R.C.No.1504 of 2019

DATED : 30.08.2024

CORAM : JUSTICE **MR.N.SESHASAYEE**

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G.Mangai

... Petitioner / Defacto complainant

Vs.

The Inspector of Police
Central Crime Branch-II
Banking Fraud Wing,
No.132, Commissioner Office Building
EVK Sampath Road, Vepery
Chennai - 600 007.

... Respondent / Complainant

Prayer : Criminal Revision filed under Section 397 and 401 Cr.P.C., praying to set aside the order dated 22.10.2019 in Cr.M.P.No.4982 of 2019 passed by the learned Judicial Magistrate No.I, Poonamallee and allow this revision petition by directing the respondent police to give custody of the articles to the petitioner herein.

For Petitioner : Mr.Murali Kumaran, Senior Counsel
Assisted by Mr.R.Gopinath
for M/s.McGAN Law Firm

For Respondent :Dr.C.E.Pratap
Government Advocate [CrI. Side]



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ORDER

The revision petitioner herein is stated to be a victim of a fraudster, who is alleged to have made empty promises to gullible women, posing himself as somebody who he is not. Including the petitioner herein, there are few other women who were alleged to have been the victims of the designs of the accused.

2.It appears that as a part of the strategy, the accused person enticed women and made them part with their properties, and the petitioner herein too had parted with her properties. Pending investigation, the petitioner has taken out an application under Section 451 Cr.P.C. before the learned Judicial Magistrate, for return of her documents that she had executed in favour of the accused.

3.Dr.C.E.Pratap, the learned Government Advocate (Crl. Side) submits that the documents which the petitioner now demands have been seized by the

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investigating agency.

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4. The Investigating Officer is also present in the Court and when queried, the Investigating Officer informed the Court that the documents now sought by the petitioner is not required for establishing any of the charges against the accused. She submitted that the documents could be returned to the petitioner/defacto complainant.

5. The respondent-police is now required to produce the documents which stand in the name of the defacto complainant before the trial Court, and the trial Court may return the documents under Section 452 Cr.P.C., after putting the accused on notice about it. The entire exercise may conclude within a period of one month from the date of issuance of the certified copy of this order.

6. With the above directions, the criminal revision petition is disposed of.



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ds

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

N.SESHASAYEE.J.,

ds

To:

1.The Judicial Magistrate No.I
Poonamallee.

2. The Inspector of Police
Central Crime Branch-II
Banking Fraud Wing,
No.132, Commissioner Office Building
EVK Sampath Road, Vepery
Chennai - 600 007.

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