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Crl.O.P.(MD)No.7053 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.7053 of 2023

Krishnakumar @ Kanthan

... Petitioner

Vs.

State represented by
The Additional Superintendent of Police,
Q-Branch Crime Investigation Department,
Tirunelveli Range,
Ramanathapuram Range (in charge).
(In Crime No.1 of 2015)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to set aside the return Docket order dated 05.12.2022 in Crl MP Sr.No.3340/2022 passed by the Principal District and Sessions Court, Ramanathapuram, and direct to return the property viz (1) Indian rupees Rs.46,200/- (marked M.O-1), (2) Sri Lankan Rupees 19,300/-(marked M.O-2) (3) 8 grams gold chain (marked M.O-3) (4) Sri Lankan National Identity Card (marked M.O-6), (5) Driving License (marked M.O-8), (6) Sri Lankan Driving License (marked M.O-9), (7) Apple I Phone (marked M.O-11) (8) Sri Lankan Passport (marked M.O-25), (9) Bank Pass Book (marked M.O-26), 10 Aadhar Card (marked M.O-27) to the petitioner.

For Petitioner

: Mr.P.Pugalenthir

For Respondent

: Mr.S.Ravi,
Additional Public Prosecutor



ORDER

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This Criminal Original Petition has been filed challenging the order passed by the learned Principal District and Sessions Judge, Ramanathapuram in Crl.M.P.Sr.No.3340/2022 dated 05.12.2022 refusing to entertain the application filed by the petitioner seeking for return of the property.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. The Court below did not entertain the application filed by the petitioner only on the ground that the split up case was pending in S.C.No.2 of 2018.

4. When the matter was taken up for hearing today, it was brought to the notice of this Court that the case in S.C.No.2 of 2018 has been disposed of by judgment and decree dated 18.07.2024.

5. In the light of the above development, it is left open to the petitioner to file a fresh application before the Court below seeking for



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return of documents and the same will be dealt with on its own merits
and in accordance with law.

6. This Criminal Original Petition is disposed of in the above
terms.

19.11.2024

Index : Yes/No

Internet : Yes/No

TSG

To

1.The Principal District and Sessions Court, Ramanathapuram.

2.The Additional Superintendent of Police,
Q-Branch Crime Investigation Department,
Tirunelveli Range,
Ramanathapuram Range (in charge).
(In Crime No.1 of 2015)

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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N.ANAND VENKATESH. J.

TSG

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