



Crl.RC.No.16 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.16 of 2025

Mohamed Ibrahim

... Petitioner

Vs.

State by

Inspector of Police

Sathyamangalam Police Station

Vilupuram District

(Crime No.181 of 2024)

... Respondent

Prayer: Criminal Revision Case filed under under Section 438 and 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records of learned Judicial Magistrate, Gingee, Villupuram District and set aside the order passed by the learned Magistrate made in Crl.M.P.No.5458 of 2024 and order to return the cash property which was recovered from the accused concerned in Crime No.181 of 2024 on the file of Inspector of Police, Sathyamangalam Police Station, Vilupuram District to the custody of the petitioner herein.

For Petitioner

: Mr.S.Sasikumar

For Respondent

: Mr.S.Sugendran

Additional Public Prosecutor



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ORDER

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This Criminal Revision Case has been filed by the petitioner to set aside the order passed by the learned Judicial Magistrate, Gingee, Villupuram District in Crl.M.P.No.5458 of 2024 and order to return the cash property which was recovered from the accused concerned in Crime No.181 of 2024 on the file of Inspector of Police, Sathyamangalam Police Station, Vilupuram District, to the custody of the petitioner herein.

2. The case of the petitioner is that based on the complaint given by the petitioner alleging that the accused persons under the guise of offering gold at low price, made the defacto complainant to come to a secluded place wherein, they attacked the defacto complainant and his friends and taken away their cash of Rs.7,69,000/- along with gold and silver ornaments, the case in Crime No.181 of 2024 was registered against 11 persons for the offence under Section 303(2) of BNS. Subsequently, the petitioner came to know that the respondent police recovered a sum of Rs.5,23,500/- from the accused persons. Hence, the



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petitioner made an application before the Judicial Magistrate, Gingee,

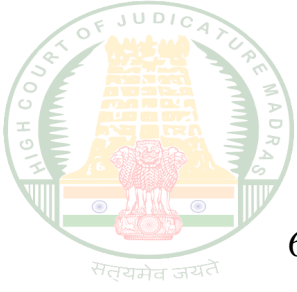
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Villupuram District in Crl.M.P.No.5458 of 2024 for interim custody of the case property. But, the learned Magistrate dismissed the said petition by order dated 02.12.2024 stating that the investigation was not completed. Hence, the present revision is filed.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that pending this revision, the respondent police filed the charge sheet and now the case has been committed to the Court of Session in S.C.No.6 of 2025 on the file of the II Additional Judge, Tindivanam.

4. Heard both sides and perused the materials available on record.

5. It is to be noted pending investigation, no valuable case property could be returned. Therefore, the learned Magistrate has dismissed the application filed by petitioner seeking return of property. However, it is reported that pending revision, the charge sheet has been filed and the case has been committed to the Court of Session.



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6. Hence, the petitioner is directed to approach the trial Court to work

out his remedy in the manner known to law.

7. With the above directions, this Criminal Revision Case is dismissed.

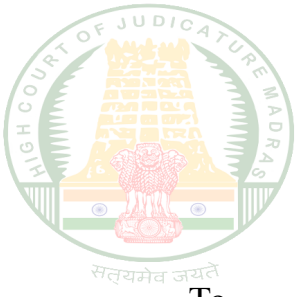
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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To
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1. The Judicial Magistrate, Gingee, Villupuram District
2. The Inspector of Police
Sathyamangalam Police Station
Vilupuram District
3. The Public Prosecutor
High Court of Madras

Copy To

The II Additional Judge, Tindivanam



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P.VELMURUGAN. J.

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