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Crl.M.P.No.2486 of 2025
in
Crl.O.P.No.29683 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2025

CORAM

THE HONOURABLE MR.JUSTICE **SUNDER MOHAN**

Crl.M.P.No.2486 of 2025

in

Crl.O.P.No.29683 of 2018

Manickam

...Petitioner/Accused

Vs.

The State Rep. by
The Deputy Superintendent of Police,
Commercial Crime Investigation Wing,
Salem District.
(Crime No.02 of 2018)

...Respondent/Complainant

PRAYER: This criminal miscellaneous petition has been filed under Section 528 of BNSS Act, to modify and to return the original title deed **Doc nos.3422/1999, 3828/2015, 9764/2014, 31397/2011** conditions that “..5.. Considering the above facts and circumstance and also considering period of incarceration this court is inclined to grant bail to the petitioner. Accordingly the petitioner is directed to deposit the original title deed of the properties in Doc.Nos.3422/1999, 3828/2015, 9764/2014, 31397/2011 to credit of crime no.02/2018 and on such deposit the petitioner is ordered to be pleased on bail on his executing a bond for sum of Rs.10,000/- (Ten Thousand only) which two surities each for a



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like sum of the satisfaction of the learned Judicial Magistrate Omalur..”
imposed by this Court in Crl.O.P.No.29683/2018 dated 21.12.2018.

For Petitioner(s):

Mr.C.Deepakkumar

For Respondent(s):

Mr.S.Santhosh

Government Advocate (Crl.Side)

ORDER

By this modification petition, the petitioner/accused seeks return of the original title deeds bearing Doc.Nos.3422/1999, 3828/2015, 9764/2014, 31397/2011, which were deposited by him to the credit of Crime No.2 of 2018, pursuant to the conditional order passed by this Court in Crl.O.P.No.29683 of 2018 dated 21.12.2018, granting bail to the petitioner.

2. The learned counsel for the petitioner/accused would submit that the petitioner has paid a total sum of Rs.53,17,500/- (Rupees Fifty Three Lakhs Seventeen Thousand Five Hundred only), which is the alleged misappropriation amount to the Society; and that since the Final Report has already been filed and the property documents belong to the petitioner as well as his relatives, the same may be returned to him.



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WEB COPY 3. The learned Government Advocate (Criminal Side) for the respondent, on instructions, confirmed the fact that the petitioner has paid a sum of Rs.53,17,500/- (Rupees Fifty Three Lakhs Seventeen Thousand Five Hundred only) to the Society on different dates.

4. Considering the aforesaid facts and the fact that the documents have been in custody for about seven years, this Court is inclined to return the title deeds deposited by the petitioner in Crime No.02 of 2018. The trial Court shall return the same on an application filed by the petitioner.

5. Accordingly, the criminal miscellaneous petition is ordered.

26.03.2025

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To
1.The Deputy Superintendent of Police,
Commercial Crime Investigation Wing,
Salem District.



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2. The Public Prosecutor
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.
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