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CRL MP No. 4113 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

**CRL MP No. 4113 of 2025
in CrI.O.P.No.24408 of 2023**

1. N.Jayaraman
S/o Nachiyappagounder, No.1/27, Krn
Nagar, Ganapathipalayam,
Maramangalathupathy, Salem.

Appellant(s)

Vs

1. The State Rep By, The Inspector Of
Police
Steel Plant Police Station, Salem
District. Crime No.351 Of 2023

2.J.Sudhakar
S/o Jayaprakash, No.34, Vengat
Castle, Lakshmi Nagar, Thindal,
Erode District.

3.SHANMUGAVADIVELU
W/o J.Sudhakar, No.34, Vengat Castle,
Lakshmi Nagar, Thindal, Erode
District.

Respondent(s)



PRAYER To modify the condition that 5 the defacto complainant may file an application every month or whenever necessity arises but definitely with a space of one month, to hand over the keys to him for the purpose of maintaining the 2.75 acres of land and watering the plants and for doing any other cleaning purpose. On that particular point the learned JM no.1, salem may appoint an advocate Commissioner to ensure that work alone is done and hand over the keys to the learned JM No.1, Salem every time a separate advocate commissioner may be appointed. The remuneration of the advocate commissioner is to be determined by the learned JM No.1, salem and to be paid by the defacto complainant imposed in CrI.OP.No.24408 of 2023 dated 11.12.2023.

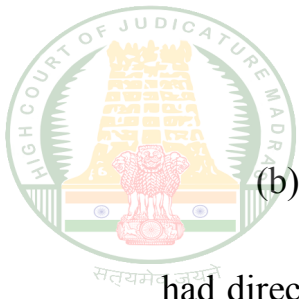
For Appellant(s): S.Senthil

For Respondent(s): Mr.S.Santhosh, Government
Advocate (Crl.side)

ORDER

The petition arises under the following circumstances.

(a) The landlord of the premises aggrieved by the fact that the tenant had forged his signature and obtained GST certificates and other licenses had preferred the complaint registered in Cr.No.351 of 2023 on the file of the first respondent. The tenant/accused filed the anticipatory bail petition before this Court.



(b) This Court by an order dated 11.12.2025 in CrI.O.P.No.24408 of 2023

had directed the petitioner/accused to hand over the keys of the premises to the learned Magistrate and further permitted the defacto complainant to receive the keys once a month for maintenance and also appointed an Advocate Commissioner to ensure that the properties are maintained periodically.

(c) Thereafter the accused filed a petition before this Court stating that he is willing to vacate the premises and sought permission from this Court to hand over the keys within a period of one week. This Court vide order dated 23.01.2025 had passed the following:

“...2. It is now represented that the movable properties of the petitioners are within the said property. Request had been placed that permission must be granted to hand over the keys to remove the movable articles. Permission is granted to the petitioners to file an application before the learned Judicial Magistrate No.1, Salem giving the lists of movable articles which they want to remove and the learned Judicial Magistrate No.1, Salem, may also issue notice to the intervener and in the presence of an Advocate



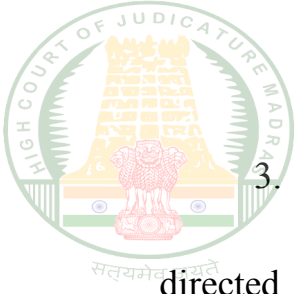
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Commissioner and also in the presence of the intervener the movable properties of the petitioners may alone be removed and the list of the properties which had been removed may be furnished to the learned Judicial Magistrate No.I, Salem to keep in the records. If any of the properties are required for trial purpose or for investigation, a letter may be given by the petitioners that they would produce the same whenever required. No further orders are required...”

(d). The defacto complainant has filed this instant petition stating that the tenant has not vacated the property so far and that on account of the same he has suffered a huge loss.

2. The learned counsel for the tenant/accused however on instructions submitted that the petitioner would vacate the premises and hand over the keys within a period of two months and he may be permitted to remove the articles from the premises.



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3. Considering the aforesaid submissions, the learned Magistrate is directed to return the keys to the tenant/accused on 02.06.2025. The petitioner/accused shall vacate the premises and hand over the keys to the defacto complainant on or before 30.06.2025. After handing over the keys, the petitioner/accused shall file an affidavit of compliance before the learned Magistrate on or before 02.07.2025.

4. With the above observations, this petition is ordered.

gbi

29-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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Police

Steel Plant Police Station, Salem

District. Crime No.351 Of 2023

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SUNDER MOHAN J.

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