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Crl.R.C.No.328 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.328 of 2025

R.Harishankar

... Petitioner

..VS..

The State Rep.by
The Inspector of Police,
Sulur Police Station,
Coimbatore District,
Crime No.677 of 2024.

... Respondent

Criminal Revision Case filed under Sections 503 read with 497 BNSS Act, 2023, to set aside the order of dismissal dated 20.01.2025 made in C.M.P.No.27 of 2025 on the file of the Judicial Magistrate, Sulur, Coimbatore District by allowing the present criminal revision petition.

For Petitioner : Mr.M.Prakash Raj

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

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This Criminal Revision Petition is filed against the order dated dated 20.01.2025 passed in C.M.P.No.27 of 2025 by the learned Judicial Magistrate, Sulur, Coimbatore District.

2. The case of the prosecution as per the *de-facto* complainant/petitioner is that one Chandrasekaran expressed his interest in purchasing 1 kg (100 gms of 10 nos. each) of gold biscuits worth about Rs.77,00,000/- from the petitioner. While so, on 10.09.2024, one Rajkumar, who introduced himself as manager of Chandrasekaran took possession of the gold bars from the petitioner, later, the said Rajkumar escaped from that place.

3. Based on the complaint given by the petitioner, a case in Crime No.677 of 2024 was registered against the accused persons for the offences under Sections 318(4) of BNS, 2023. During the investigation, the respondent-Police traced the accused and seized the entire 1 kg of gold bars and TATA TDI Car bearing Registration No.TN-38-AZ-8292 from the first accused on 13.09.2024. Subsequently, the petitioner filed a



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petition in C.M.P.No.27 of 2025 before the learned Judicial Magistrate, Sulur, Coimbatore District seeking interim custody of the gold bars – 1 kg (100 gms of 10 nos. each). The learned Magistrate, *vide* order dated 20.01.2025 dismissed the petition and as against the said order, the present revision petition is filed by the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent-Police submitted that the investigation is not yet completed and if the subject property is handed over to the petitioner, there is a possibility of the petitioner selling the same and hence, he strongly objects to give the property to the petitioner on interim custody.

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

6. Considering the facts and circumstances and also considering the stage of the investigation, this Court is of the view that pending investigation, the petitioner is not entitled for the interim custody of the subject property. Therefore, this Court does not find any reason to interfere with the order passed by the Court below. Accordingly, this



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Criminal Revision Petition is dismissed.

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7. The respondent-Police is directed to complete the investigation and to file a charge-sheet as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order. However, after the investigation and filing charge sheet, if the petitioner is aggrieved by the charge sheet, it is left open to the petitioner to agitate the same in the manner known to law.

05.03.2025

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Case Citation : Yes / No
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To

1. The Judicial Magistrate,
Sulur, Coimbatore District.
2. The Inspector of Police,
Sulur Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J.

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