



Crl.RC.No.381 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.381 of 2025

Syed Nivaaz

... Petitioner

Vs.

The State represented by
The Inspector of Police
NCB - Narcotic Control Bureau
Chennai

... Respondent

Prayer: Criminal Revision Case filed under Section 438 read with 442 of B.N.S.S. to set aside the order dated 19.02.2025 in Crl.M.P.No.210 of 2025 in C.C.No.946 of 2024 passed by the Principal Special Court under EC & NDPS Act, Chennai and direct to return the mobile phone of the petitioner viz. iPhone-13 Pro White Colour.

For Petitioner : Mr.L.Murali Krishnan

For Respondent : Mr.N.P.Kumar

Special Public Prosecutor for NCB Cases



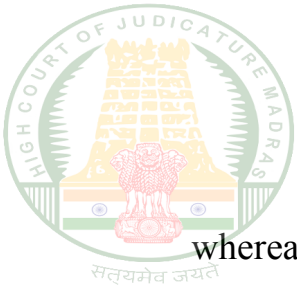
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ORDER

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This Criminal Revision Case has been filed by the petitioner to set aside the order dated 19.02.2025 in Crl.M.P.No.210 of 2025 in C.C.No.946 of 2024 passed by the Principal Special Court under EC & NDPS Act, Chennai and direct to return the mobile phone of the petitioner viz. iPhone-13 Pro White Colour.

2. The case of the petitioner is that the petitioner was arrested by the respondent police on 08.05.2024 in connection with R.R.No.33 of 2024 on the file of the respondent police, alleging that the petitioner along with other accused was found in possession of 30 grams of Cocaine and thereafter, he released on bail on 15.07.2024. At the time of arrest, the respondent police had seized the mobile phone of the petitioner viz. iPhone-13 Pro White Colour which contains personal and business details of the petitioner. Therefore, the petitioner filed a petition in Crl.M.P.No.210 of 2025 before the Principal Special Court under EC & NDPS Act, Chennai, seeking return of property,



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whereas, the said petition was dismissed by order dated 19.02.2025 on the

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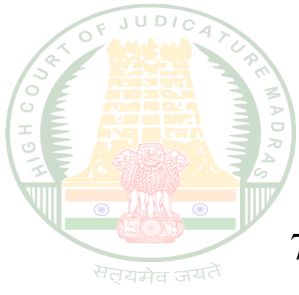
ground that the trial already commenced and the material objects are yet to be marked. Challenging the same, the present revision is filed.

3. The learned Special Public Prosecutor appearing for the respondent police submitted that at the time of arrest, the petitioner had voluntarily handed over the subject matter of property/mobile phone. The Seizing Officer seized the same and produced before the Special Court as a case property. The learned Special Public Prosecutor further submitted that some of the contact numbers and call details of the other accused are recorded in the said mobile phone. Therefore, the said mobile phone is required for trial.

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

5. Considering the fact that the trial has already commenced and summons have also been issued to the witnesses, this Court is not inclined to interfere with the order of the Special Court.

6. Accordingly, this Criminal Revision Case is dismissed.



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7. The Special Court is directed to expedite the trial and dispose of the

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case on merits and in accordance with law.

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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 Principal Special Court under EC & NDPS Act,
Chennai
2. The Inspector of Police
NCB - Narcotic Control Bureau
Chennai
3. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN. J.

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