



W.P.No.8406 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.8406 of 2025

Nisardeen

..... Petitioner

Vs

The Union Of India
Rep By The Intelligence Officer,
NCB, Chennai Zone Unit,
Chennai-600 077.

..... Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent to return the petitioner's Indian passport bearing No.NO487426 and iphone 13 mini having Model No.MLNG33/A and IMEI Nos.356682974634250 and 356652974298809 to the petitioner.

For Petitioner : Mr.J.Jahith Rifai

For Respondent : Mr.N.P.Kumar
Special Public Prosecutor for NCB

ORDER

This Writ Petition has been filed seeking a direction to the respondent to return the petitioner's passport bearing No. NO487426 and iPhone 13 mini (Model No.MLNG33/A and IMEI



W.P.No.8406 of 2025

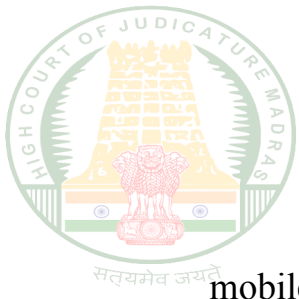
Nos.356682974634250 and 356652974298809) to the petitioner.

WEB COPY

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner is an accused in R.R.No.37 of 2024 for the offences under Sections 8(c), 22(c), 27(A), 28 & 29 of the NDPS Act. Pursuant to the registration of the FIR, the petitioner was arrested and his mobile phone was seized by the respondent. After his arrest, he was remanded to judicial custody. However, the respondent failed to deposit the mobile phone and the passport, which were seized from the petitioner. The petitioner also filed an application for return of the property and the same was rejected on the ground that the said property had not been deposited by the respondent.

4. The learned Special Public Prosecutor appearing for the respondent submitted that upon the petitioner's remand, the passport and the mobile phone were produced before the remand Court but it was subsequently returned. However, the respondent not yet deposited the



W.P.No.8406 of 2025

WEB COPY

mobile phone and passport which were seized from the petitioner at the time of his arrest. That apart, the petitioner's passport is set to expire in one and a half months. Therefore, the respondent cannot keep the property, which were seized from the petitioner, without depositing it.

5. In view of the above, the respondent is directed to return the petitioner's passport bearing No.NO487426 and iPhone 13 mini (Model No.MLNG33/A and IMEI Nos.356682974634250 and 356652974298809) to the petitioner forthwith.

6. With the above direction, this Writ Petition stands allowed. No costs.

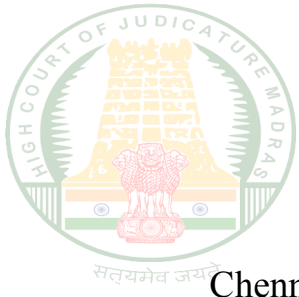
01.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

1. The Intelligence Officer,
NCB, Chennai Zone Unit,

Page 3 of 5



W.P.No.8406 of 2025

Chennai-600 077.

WEB COPY

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



WEB COPY



W.P.No.8406 of 2025

G.K.ILANTHIRAIYAN, J.

Lpp

W.P.No.8406 of 2025

01.04.2025