



W.P.No.8541 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2025

CORAM:

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

W.P.No.8541 of 2023

W.M.P.Nos.8728 & 8729 of 2023

1. Seyed Mohamed Buhari
2. Syed Halimudeen
3. Meeran Fathuhul Musthan

... Petitioners

Vs.

1. The Home Secretary,
State of Tamil Nadu,
Fort St. George,
Chennai – 600 009.

2. The Director General of Police,
O/o. Director General of Police,
Kailasapuram, Mylapore,
Chennai – 600 005.

3. The Commissioner of Police,
Greater Chennai,
E.V.K.Sampath Road, Vepery,
Periyamet, Chennai – 600 007.

4. The Assistant Commissioner of Police,
Nungambakkam Range,
Chennai.

5. The Assistant commissioner of Police,
Vepery Range, Chennai.



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6. The Inspector of Police,
G-1, Vepery Police Station,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration, declaring that search and seized on 19.11.2022 conducted by the 4th to 6th respondents at the residence of the petitioners situated at Krishna Apartment Flat, 997 C Block, No.106, Poonamallee High Road, Flowers Road, Chennai -600 084 as illegal and without jurisdiction and consequently direct the 4th to 6th respondents to return the seized items as mentioned in Schedule “A” to the petitioners and to pay a compensation of Rs.5,00,000/- to the petitioners within the time frame fixed by this Court.

For Petitioners : Mr.I.Abdul Basith

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This writ petition has been filed for declaration declaring that search and seizure conducted on 19.11.2022 by the respondents 4 to 6 at the residence of the petitioners as illegal and also for direction to direct them to return the seized items.

2. The petitioners 1 & 2 are brothers and the third petitioner is the son-in-law of the first petitioner. While being so, on 19.11.2022, at

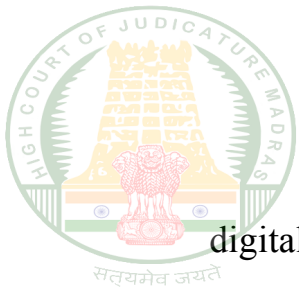


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about 6 am., suddenly, the respondents 4 to 6 along with their team came to the residence of the petitioners situated at Krishna Apartment Flat, 997, C Block, No.106, Poonamalle High Road, Flowers Road, Chennai and conducted search without any warrant from the concerned Court and seized the belongings of the petitioners including cell phone, laptop, hard disk of their system. The petitioners were also not served with any notice or information about the seizure.

3. On perusal of the counter filed by the sixth respondent and also the documents produced before this Court, it is revealed that on the secrete information in connection with ISIS terrorist organization, the respondents 4 to 6 have made the search in the petitioners' house on 19.11.2022 and seized articles after due intimation submitted to the learned II Metropolitan Magistrate, Egmore, Chennai. Thereafter seized articles items 1 to 75 and 87 to 91 were returned to the petitioners with proper acknowledgement and the remaining inventory items 76 to 86 were deposited before the learned II Metropolitan Magistrate, Egmore, Chennai. Thereafter, on the request made by the respondents 4 to 6 herein, the said properties viz., the item Nos.76 to 86 were handed over to the Tamil Nadu Forensic Science Laboratory for analysis and also for



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digital forensic examination through Court. After seizure of these articles, FIR has been registered in Crime No.405 of 2022 on the file of the sixth respondent police, under Section 102 of Cr.P.C. Further they are awaiting for the report from the forensic laboratory.

4. In view of the above facts and circumstances, this Court finds no infirmity in the search and seizure of articles and the writ petition is devoid of merits and liable to be dismissed. Accordingly, the Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

07.03.2025

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

rts



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Chennai.

5. The Assistant commissioner of Police,
Vepery Range, Chennai.

6. The Inspector of Police,
G-1, Vepery Police Station,
Chennai.

7. The Public Prosecutor,
Madras High Court,
Chennai.



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