



Crl.O.P.No.23118 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM:

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

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K.Karthikeyan

... Petitioner

Vs

1. State of Tamil Nadu,
represented by Commissioner of Police,
Central Crime Branch,
Vepery, Chennai – 600 007.

2. The Inspector of Police,
J-9, Thoraipakkam Police Station,
OkkiamThoraipakkam,
Chennai – 600 097.

3. The Inspector of Police,
Office of Commissioner of Police,
Central Crime Branch (CCB),
Team XVII, Vepery,
Chennai – 600 007.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to direct the respondents to return the original Sale Deed dated 30.12.1988 registered as Document No.98 of 1989 on the file of Sub-Registrar, Adyar stands in the name of V.R.Ramakrishnan to the petitioner which is under the illegal custody of the respondent 2.



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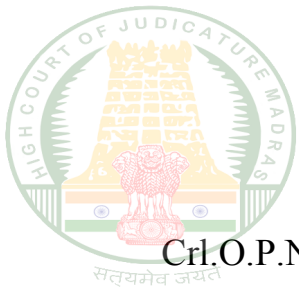
For Petitioner : Mr.P.C.Harikumar
For R1 to R3 : Mr.R.Vinothraja
Government Advocate (Crl.side)

ORDER

This petition has been filed for direction directing the respondents to return the original sale deed registered vide Document No.98 of 1989 dated 30.12.1988, which was seized by the respondents for the purpose of investigation in Crime No.604 of 2013.

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

3. Initially, the second respondent registered FIR in Crime No.604 of 2013 for the offences punishable under Sections 465, 467, 468, 471 and 420 of IPC as against three accused persons, in which the petitioner is arrayed as first accused. While the investigation in Crime No.604 of 2013, the second respondent had seized the original title deed registered vide Document No.98 of 1989 dated 30.12.1988. Thereafter, the entire investigation was transferred to the file of the third respondent along with all the records. Pending investigation, the petitioner filed a quash petition to quash the FIR in



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Crl.O.P.No.7041 of 2014. This Court, allowed the quash petition, thereby quashed the FIR in Crime No.604 of 2013, by an order dated 28.10.2020.

4. Thereafter, the petitioner requested the respondents 2 and 3 to return the original document which was seized during the investigation. However, so far, it is not considered and the original documents is in possession of the third respondent.

5. In view of the above, the third respondent is directed to return the original Sale Deed dated 30.12.1988 registered as Document No.98 of 1989 to the petitioner, forthwith.

6. With the above directions, this Criminal Original Petition stands is allowed.

06.02.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order

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G.K.ILANTHIRAIYAN. J.

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To

1. The Commissioner of Police,
Central Crime Branch,
Vepery, Chennai – 600 007.
2. The Inspector of Police,
J-9, Thoraipakkam Police Station,
OkkiamThoraipakkam,
Chennai – 600 097.
3. The Inspector of Police,
Office of Commissioner of Police,
Central Crime Branch (CCB),
Team XVII, Vepery,
Chennai – 600 007.
4. The Public Prosecutor,
High Court, Madras.

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