



Crl.R.C.No. 740 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2025

CORAM:

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

Crl.R.C.No. 740 of 2025

Rajasekaran

..... Petitioner

Vs

The State rep by
The Inspector of Police,
K8, Arumbakkam Police Station,
Chennai District.
Crime No.419 of 2024

..... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order passed in Crl.M.P.No.1992 of 2025 on the file of the I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai, dated 13.05.2025 and grant interim custody of the mobile phone Realme P1 5G Peacock Green (IMEI No.866287072807858) in favour of the petitioner.

For Petitioner : Mr.U.Kathiravan

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

ORDER

This Criminal Revision Case has been filed challenging the order dated 13.05.2025 passed in Crl.M.P.No.1992 of 2025 on the file of Additional



Cr.L.R.C.No. 740 of 2025

Special Court for Exclusive Trial of Cases under NDPS Act, Chennai, thereby

dismissing the petition filed for return of the mobile phone, viz., Realme P1 5G Peacock Green (IMEI No.866287072807858).

2. The petitioner is an accused in Crime No.419 of 2024, registered for the offences under Sections 8(c) r/w. 20(b)(ii)(B) & 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985, alleging that the petitioner was found in possession of 5 grams of Methamphetamine and 10 units of 1 piece syringe, 5 units of 4 piece syringes. Pursuant to the registration of the FIR, the contraband and the petitioner's mobile phone were seized and the same were deposited before the Trial Court. Thereafter, the petitioner filed an application seeking return of his mobile phone. However, the same was dismissed on the ground that the investigation is still pending and the material objects are yet to be marked.

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

4. A perusal of the records reveals that the contraband and the mobile phone were seized from the petitioner and the same were deposited



CrI.R.C.No. 740 of 2025

before the Trial Court. The mobile phone owned by the petitioner has nothing to do with the alleged offence. Therefore, the pendency of the investigation and production of material objects are not essential with respect to the mobile phone to this case.

5. In view of the above discussions, this Court is inclined to return the mobile phone to the petitioner and accordingly, the order dated 13.05.2024 passed in CrI.M.P.No.1992 of 2025 on the file of the Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai, is hereby set aside. The learned Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai, is directed to return the mobile phone, viz., Realme P1 5G Peacock Green (IMEI No.866287072807858) to the petitioner, forthwith.

6. Accordingly, the Criminal Revision Case stands allowed.

13.06.2025

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



Crl.R.C.No. 740 of 2025

G.K.ILANTHIRAIYAN, J.
Lpp

WEB COPY

To

1. The Additional Special Court for Exclusive Trial of Cases under NDPS Act,
Chennai,
2. The Inspector of Police,
K8, Arumbakkam Police Station,
Chennai District.
3. The Public Prosecutor,
High Court, Madras.

Crl.R.C.No. 740 of 2025

13.06.2025