



CrI.R.C.No. 879 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2025

CORAM:

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

CrI.R.C.No. 879 of 2025

Pasam Siddharth

..... Petitioner

Vs

State Rep by Inspector of Police,
R-11, Ramapuram Police Station,
Ramapuram,
Chennai.

FIR No.632 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 dated 23.05.2025 made in CrI.M.P.No.2543 of 2025 on the file of the Principal Special Court under EC and NDPS Act, Chennai 104 and consequently direct the respondent to return the property (iPhone 15 Pro, Blue Color).

For Petitioner : Mr.P.Dinesh Kumar

For Respondent : Mr.A.Gopinath

Government Advocate (CrI. Side)

ORDER

This Criminal Revision Case has been filed challenging the order dated 23.05.2025 passed in CrI.M.P.No.2543 of 2025 on the file of the Principal Special Court under EC and NDPS Act, Chennai, thereby dismissing the petition filed for return of the property, viz., iPhone 15 Pro, Blue Color.



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

3. The petitioner is arrayed as A3 in Crime No.632 of 2024 on the file of the respondent Police registered for the offences punishable under Section 8(c) r/w 20(b)(ii)(B) and 29(1) of the NDPS Act, 1985 and under Section 121 and 351(2) of the Bharatiya Nyaya Sanhita, 2023, alleging that the petitioner, along with other accused, was found to be in illegal possession of 1.200 kg of Ganja. Pursuant to the registration of the FIR, the petitioner was arrested and remanded to judicial custody. The respondent also seized the petitioner's mobile phone and produced the same before the Trial Court. Therefore, the petitioner filed a petition seeking return of the property, which was dismissed by the Trial Court.

4. It is the case of the petitioner is that the cell phone is in no way connected to the alleged offence. Even according to the case of the prosecution, the petitioner, along with other accused, was found in possession of 1.200 kg of Ganja.



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5. In view of the above, this Court is inclined to order the return of the mobile phone to the petitioner. Accordingly, the order 23.05.2025 passed in CrI.M.P.No.2543 of 2025 on the file of the Principal Special Court under EC and NDPS Act, Chennai, is hereby set aside. The Principal Special Court under EC and NDPS Act, Chennai, is directed to return the mobile phone viz., iPhone 15 Pro, Blue Color, to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the concerned Magistrate to the credit of Crime No.632 of 2024 pending on the file of the respondent police.

(ii) the petitioner shall deposit the original invoice or bill of the phone with the concerned Magistrate.

(iii) the seized item should be photographed at the cost of the petitioner herein and a list is to be prepared and the same is to be signed by the petitioner.

(iv) the petitioner shall not alienate and shall not make any alteration in the mobile.



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(v) the petitioner shall produce the mobile before the Court and before the respondent police as and when required;

(vi) If any of the conditions are violated, this order automatically stands cancelled.

7. Accordingly, the Criminal Revision Case stands allowed.

24.06.2025

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

To

1. The Principal Special Court under EC and NDPS Act,
Chennai.

2. The Inspector of Police,
R-11, Ramapuram Police Station,
Ramapuram,
Chennai.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.
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