



Crl.R.C.No.1628 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : .14.03.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.No.1628 of 2023

Arumugam

... Petitioner

Vs.

State represented by,
The Inspector of Police,
N-1, Royapuram Police Station,
Chennai

... Respondent

PRAYER: Criminal Revision Petition filed under Section 397 Cr.P.C., to set aside the dismissal order passed by the learned Principal Special Judge under EC and NDPS act, Chennai in the petition filed under Sections 451 and 457 Cr.P.C., for return of property in Crl.M.P.No.2893 of 2022 in Crime No.141 of 2022 on the file of the respondent and to return One Plus 7 Pro Black colour, One Plus 8 green and Black Colour cell phone and Nokia 3310 -Green and Greener seized by the respondent Police in Crime No.141 of 2022.

For Petitioner : Mr.Rajeswaran

For Respondent : Mr.S.Sugendran



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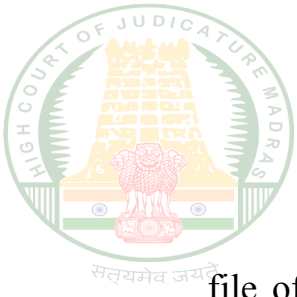
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Additional Public Prosecutor
ORDER

This Criminal Revision Petition has been filed to set aside the dismissal order passed by the Principal Special Court under EC and NDPS Act, Chennai in the petition filed under Sections 451 and 457 Cr.P.C., for return of property in Crl.M.P.No.2893 of 2022 in Crime No.141 of 2022 on the file of the respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent-Police and perused the materials available on record.

3. Since the petitioner was in illegal possession of 1.200 Kg of ganja, the respondent Police registered a case in Crime No.141 of 2022 against him for the offence under Sections 8(c) read with 20(b)(ii)(B) of the NDPS Act. At the time of arrest, the respondent-Police seized the petitioner's cell phone. Pending investigation, the petitioner has filed the petition under Section 457 Cr.P.C in Crl.M.P.No.2893 of 2022, on the



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file of the Principal Special Court under EC and NDPS Act, Chennai., seeking return of one plus 70 Pro Black colour-1, One plus 8 green and black colour cell phone -1, Nokia 3310 cell phone. The Special Court dismissed the same, vide impugned order dated 04.08.2022. Aggrieved by the same, the petitioner has filed this criminal revision petition.

4. It is submitted by the learned Additional Public Prosecutor appearing for the respondent-Police that investigation was over and charge sheet has also been filed and the same was taken on file in C.C.No.254 of 2023 on the file of the Principal Special Court under EC and NDPS Act, Chennai. The cellphone/case property has also been handed over before the court concerned.

5. In view of the above submission, that the investigation has been completed and charge sheet has also been filed before the court concerned, the petitioner is at liberty to approach the concerned Special Court. If the petitioner files any application with regard to the same, the Special Court is directed to consider and dispose of the same on merits



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and in accordance with law.

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6. With the abovesaid direction, this Criminal revision Petition is disposed of.

14.03.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Principal Special Judge under EC and NDPS act, Chennai.
2. The Inspector of Police,
N-1, Royapuram Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN, J.

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