



Crl.RC.No.1221 of 2025

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G.K.ILANTHIRAIYAN, J.

At the instance of the learned counsel appearing for the petitioner, today this matter has been posted under the caption “for being mentioned”.

2. Heard, the learned counsel appearing for the petitioner.

3. On hearing the submissions of the learned counsel appearing for the petitioner, it is ordered that sub-clause(i) of the fourth paragraph of the order passed by this Court in Crl.RC.No.1221 of 2025 dated 28.07.2025, shall read as follows:

“4(i) the petitioner is directed to execute a own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the concerned Magistrate in crime No.544 of 2024 pending on the file of the respondent police.”



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4. Accordingly, the Registry is directed to issue a fresh order copy in

WEB CrI.RC.No.1221 of 2025 dated 28.07.2025 after making necessary corrections.

15.09.2025

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Note: Issue order copy on 15.09.2025



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15.09.2025



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2025

CORAM:

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

Crl.R.C.No.1221 of 2025

Mohammed Ramal

..... Petitioner

Vs

State rep. by,
The Inspector of Police
S-7, Madipakkam Police Station
Chennai
(crime No.544 of 2024)

..... Respondent

PRAYER:

Criminal Revision Case filed under Section 438 and 442 of BNSS, 2023, praying to set aside the order passed in Crl.MP.No.1937 of 2025 dated 30.04.2025 on the file of the Principal Special Court for NDPS Act Cases at Chennai.



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For Petitioner : Mr.M.S.Ramesh

For Respondent : Mr.A.Gopinath,

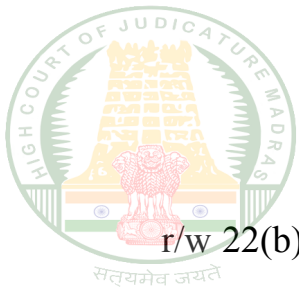
Government

Advocate(crl.side)

ORDER

This Criminal Revision Case has been filed against the order passed in Crl.MP.No.1937 of 2025 dated 30.04.2025 on the file of the Principal Special Court for NDPS Act Cases at Chennai, thereby dismissing the petition filed for seeking to return the petitioner's properties i.e. i-phone 15 Promax mobile and i-phone XR.

2. The petitioner is the owner of the aforesaid properties i.e. i-phone 15 Promax mobile and i-phone XR. On 12.11.2024, based on a secret information that five persons are selling methaqualone at Southside of Puzhuthivakkam Railway Station, the respondent police went to that place and seized 27 grams of methaqualone from five persons. Thereafter, the respondent registered FIR in crime No.544 of 2024 for the offences under Sections 8(c)



r/w 22(b), 29(1) and 20(b)(ii)(A) of NDPS Act @ 8(c) r/w 20(b)(ii)(A), 22(b),

22(c) and 29(1) of NDPS Act. Based on the confession of the aforesaid persons, the petitioner was arrayed as accused. While seizing methaqualone from the accused persons, the respondent seized also the mobile phones of the petitioner and produced before the court concerned. Therefore, the petitioner, being the owner of the said mobile phones, filed the petition to return the same. However, it was dismissed. Hence, this criminal revision case has been filed.

3. Heard, the learned counsel appearing on either and perused, all the materials placed before this Court.

4. On perusal of records, it is revealed that there are totally 22 accused, in which the petitioner is arrayed as A15. Admittedly the petitioner is the owner of the aforementioned mobile phones. Further, if the mobile phones are kept idle, the proper functioning of the same will be affected. Considering the same, this Court is inclined to return the aforesaid mobile phones to the petitioner. Accordingly, the impugned order passed in Crl.MP.No.1937 of 2025 dated 30.04.2025 on the file of the Principal Special Court for NDPS Act Cases at Chennai, is hereby set aside. The learned Principal Special Court for NDPS



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Act Cases at Chennai, is directed to return the aforementioned mobile phones

WEB COPY i.e. i-phone 15 Promax mobile and i-phone XR to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute a own 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.544 of 2024 pending on the file of the respondent police.

(ii) the petitioner shall produce original bill/invoice in respect of the aforementioned mobile phones before 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 phones.

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

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



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stands cancelled.

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5. Accordingly, the Criminal Revision Case stands allowed.

28.07.2025

Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order

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To

1.The Principal Special Court for NDPS Act Cases at Chennai.

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2. The Inspector of Police
S-7, Madipakkam Police Station
Chennai

3. The Public Prosecutor,
High Court, Madras.



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