



Crl.R.C.Nos.1757 & 1856 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2025

CORAM:

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

Crl.R.C.Nos.1757 & 1856 of 2024

Crl.RC.No.1757 of 2024

Noorjahan

..... Petitioner

Vs

The State Rep. By
S.I. of Police,
Perundurai Police Station
Cr.No.259 of 2013

..... Respondent

PRAYER: Criminal Revision Case is filed under Sections 438 and 442 of BNSS, praying to call for the records and set aside the judgment made in Crl.MP.No.6572 of 2023 in Crl.MP.No.3058 of 2023 dated 05.07.2024 on the file of the Judicial Magistrate Court, Perundurai.

For Petitioner : Mr.R.Thamarai Selvan

For Respondent : Mr.A.Gopinath,
Government Advocate (crl.side)

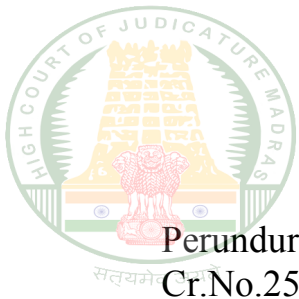
Crl.RC.No.1856 of 2024

K.Balamurugan

..... Petitioner

Vs

The State Rep. By
S.I. of Police,



Crl.R.C.Nos.1757 & 1856 of 2024

Perundurai Police Station

Cr.No.259 of 2013

..... Respondent

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PRAYER: Criminal Revision Case is filed under Sections 397 and 401 of Cr.P.C., praying to call for the records and set aside the judgment made in Crl.MP.No.5206 of 2023 in Crl.MP.No.3058 of 2023 dated 05.07.2024 on the file of the Judicial Magistrate Court, Perundurai.

For Petitioner : Mr.R.Thamarai Selvan

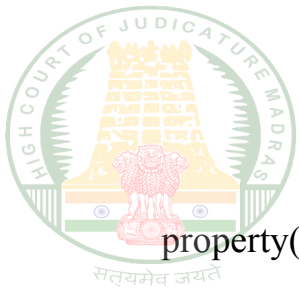
For Respondent : Mr.A.Gopinath,
Government Advocate (crl.side)

COMMON ORDER

Both the Criminal Revision Cases have been filed against the orders made in Crl.MP.Nos.6572 & 5206 of 2023 in Crl.MP.No.3058 of 2023 dated 05.07.2024 on the file of the Judicial Magistrate Court, Perundurai, thereby dismissing the petitions to discharge the sureties.

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

3. The petitioners stood as surety while returning the property in favour of the owner. When the trial court called the owner of the



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property(PW11) in SC.No.132 of 2018, he did not appear before the court so as to produce the property. Therefore, the learned Magistrate directed the petitioners, who are the sureties, to deposit a sum of Rs.20,00,000/-(each) within a period of one month, failing which they shall be imprisoned for three months. However, now the owner of the property has appeared before the trial court and he has been examined as PW11.

4. Therefore, the trial court is directed to take appropriate action against PW11, if the property is not produced before the trial court for trial, in accordance with law. As such, the impugned orders cannot be sustained and the same are liable to be set aside. Accordingly, the impugned orders made in Crl.MP.Nos.6572 & 5206 of 2023 in Crl.MP.No.3058 of 2023 dated 05.07.2024 on the file of the Judicial Magistrate Court, Perundurai, are set aside.

5. In the result, both the criminal revision cases stand allowed.

29.08.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.
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To

- 1.The learned Judicial Magistrate Court, Perundurai
- 2.Sub Inspector of Police,
Perundurai Police Station
- 3.The Public Prosecutor,
High Court of Madras

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29.08.2025