



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC NO. 1454 OF 2025

1. GOPALAKRISHNAN

S/o.Mani, No.14/6, Periyar Street,
Chinmaya Nagar, Kulasekarapuram,
Virugambakkam, Chennai-600 092.

Petitioner(s)

Vs

1. State rep by its, The Inspector of
Police,
Central Crime Branch-1, EDF-I Wing
Beta-1 Veppery, Chennai-7.
Cr.No.34/2025

2.K.V.Jayavel

S/o.K.C.Vedachalam Chetty, General
Manager - Dina Color Lab.

Respondent(s)



CRL RC No. 1454 of 2025

PRAYER

To set aside the impugned order passed in CrI.M.P.No.7887/2025 in Cr.No.34/2025 on the file of the Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to Cheating Cases in Chennai), and CBCID Metro Egmore, Chennai dated 11.07.2025.

CRL RC No. 1444 of 2025

For Petitioner(s): K.Sathish Kumar
D.Shendur Gughan

Affidavit Of Service Filed

For Respondent(s): Public Prosecutor For R1
Court Notice Served For R2
R-2 K.V.JAYAVEL,
S/o.K.C.Vedachalam Chetty,
General Manager-Dina Color
Lab No.53/1, C.P.Ramasamy
Road, Abiramapuram, Chennai
Private Notice Permitted - Proof
Filed - Served For R2

A. Arun
P.Rajkumar
R.Aswin
Senapathi .R.A For R2

ORDER

This Criminal Revision Case has been filed to set aside the impugned order passed in CrI.M.P.No.7887/2025 in Cr.No.34/2025 on the file of the Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to



Cheating Cases in Chennai), and CBCID Metro Egmore, Chennai dated 11.07.2025.

2. The respondent police arrested the petitioner/accused for a alleged offences u/s.408, 420, 477A r/w 109 , 120(B) of IPC and remanded to judicial custody by this Court in Cr.No.34 of 2025 on 15.03.2025. At the time of arrest the respondent police seized the following articles:

(1) Gold Neckles – 24.700 gms (2) Gold Neckles – 24.700 gms (3) Gold Neckles – 33.750 gms (4) Gold Chain – 28.450 gms (5) Gold Neckles – 24.400 gms (6) Gold Neckles – 15.260 gms (7) Gold Chain – 10.000 gms (8) Gold Chain Dollar – 24.540 gms (9) Gold Chain – 18.750 gms (10) Gold Chain – 15.60 gms (11) Gold Chain – 14.250 gms (12) Gold Chain – 15.700 gms (13) Gold Chain – 4.940 gms (14) Gold Padigam Malai – 46.900 gms (15) Gold Ladies Bracelet – 12.150 gms (16) Gold Bracelet – 8.400 gms (17) Gold Bracelet – 6.05 gms (18) Gold Bracelet – 6.500 gms (19) Gold Bangle – 37.350 gms (20) Gold Bangle – 36.480 gms (21) Gold Ladies Yazhi – 16.00 gms (22) Gold Ladies Bracelet – 12.800 gms (23) Gold Kappu – 32.320 gms (24) Gold Baby Kappu – 8.250 gms (25) Gold Mattal – 4.4 gms (26) Gold Stud (kits



plastic button) – 8.550 gms (27) Gold Stud (kits Plastic Button) – 9.630 gms

(28) Gold Stud (kits Plastic Button) – 5.730 gms (29) Gold Stud (Kits Plastic

Button) – 8.550 gms (30) Gold Stud (Kits Plastic Button) – 10.370 gms (31)

Silver Bar (Big Bar Biscuit) – 500 gms (32) Silver Bar (Small Bar Biscuit) –

100 gms (33) Original Sale deed Document No.17197 (34) I Phone 15 IEMI

No.359370798181263 (35) Maruthi Suzuki Ertikar which bearing No.TN10-

BR-7003.

3. Hence, he filed the petition before the Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to Cheating Cases in Chennai), and CBCID Metro Egmore, Chennai, in Crl.M.P.No.7887/2025 for return of the property. The Court below dismissed the said petition holding that investigation is under half way, it would not be proper to order for return of property. Challenging the order passed by the Trial Court, the petitioner filed this revision.

4. The learned counsel for the petitioner submits that the petitioner is no way connected with this offence as alleged in FIR. Further, he submits that if a car is kept in police custody without maintenance, it will deteriorate



significantly and rapidly and prays to return the other properties also. However, the petitioner is ready to abide with any conditions. Hence, he prays to allow this petition.

5. The Government Advocate (Crl. Side) submits that the petitioner along with other accused persons appropriated more than Rs.20 crores. In fact, documents were seized from the petitioner which are necessary for investigation. Hence, he raised objection to allow this petition.

6. Considering the submissions on either side, the provision under Section 451 of Cr.P.C./497(1) of BNSS provides for protection of the property from degradation due to non maintenance in the custody of the police as it takes long time for conclusion of criminal proceedings. The vehicle is in broad day light from the date of seizure and no useful purpose will be served in keeping the vehicles parked in the sunlight and rain. Hence, out of 35 seized articles, this Court is inclined to return vehicle Maruthi Suzuki Ertikar which bearing No.TN10-BR-7003 with the condition. Except above vehicle, this Court is not inclined to return other properties, which are very much required for investigation.



7. In view of the above discussions, this Court is inclined to return the vehicle to the petitioner and accordingly, the order passed in Crl.M.P.No. 7887 of 2025 dated 11.07.2025 by the Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to Cheating Cases in Chennai), and CBCID Metro Egmore, Chennai, is hereby set aside. The learned Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to Cheating Cases in Chennai), and CBCID Metro Egmore, Chennai, is directed to return the Maruthi Suzuki Ertikar which bearing No.TN10-BR-7003 to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute an own bond for a sum of Rs.1,00,000/- (Rupees One lakh only) to the satisfaction of the concerned Magistrate to the credit of Crime No.34 of 2025 pending on the file of the respondent police. Further, the petitioner shall deposit a sum of Rs.8,00,000/- (Eight Lakhs Only) to the credit of Crime No. 34 of 2025 on the file of the Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to Cheating Cases in Chennai), and CBCID Metro Egmore, Chennai.



(ii) the petitioner shall deposit the original registration certificate of the vehicle 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 vehicle.

(v) the petitioner shall produce the vehicle 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.

06-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to Cheating Cases in Chennai), and CBCID Metro Egmore, Chennai.

2. The Section Officer, V.R Section, High Court, Madras.



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CRL RC No. 1454 of 2025



T.V.THAMILSELVI J.

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2025
AND CRL RC NO. 1454
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