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CRL RC No. 1444 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 1444 of 2025

1. Krishnamurthy P
S/o.Perumal, Plot No.91, 1st Floor,
Unmai Nagar, 1st Main Road, Opp
Mams Play School, Keelkattalai,
S.Kolathur,Kancheepuram-600 117

Petitioner(s)

Vs

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

2.K.V.Jayavel,
S/o.K.C.Vedachalam Chetty, General
Manager-Dina color Lab No.53/1,
C.P.Ramasamy Road, Abiramapuram,
Chennai

Respondent(s)



PRAYER

To call for and examine the records as to the correctness legality or propriety and pass an order to set aside the impugned order passed in CrI.M.P.No.7888 of 2025 in Cr.No.34 of 2025 on the file of the Learned Metropolitan magistrate, for CCB and CBCID Egmore, Chennai dated 16.07.2025

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

CRL RC No. 1444 of 2025 has been filed to call for and examine the records as to the correctness legality or propriety and pass an order to set aside



the impugned order passed in Crl.M.P.No.7888 of 2025 in Cr.No.34 of 2025 on the file of the Learned Metropolitan magistrate, for CCB and CBCID Egmore, Chennai dated 16.07.2025.

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) Original Sale Deed Document No.3574/2020
- (2) Original FPL Vehicle Pvt Ltd Tax Invoice dated 27.06.2023
- (3) Original Vehicle RC of TN14-AE-3723
- (4) Dell Laptop
- (5) Laxer 32GB Pendrive
- (6) Sandesk USB 3.1 Pendrive
- (7) Laxer 64GB Pendrive
- (8) Sony 16 GB Pendrive
- (9) Laxer 64 GB Pendrive
- (10) Laxer Pendrive
- (11) OPPO 7 Red Colour Mobile
- (12) OPPO Reno 10 Purpole Colour Mobile
- (13) Redmi 9 Orange Colour Mobile
- (14) Canon 7001 Camera
- (15) Canon 25250 Lenzy
- (16) Canon Camera Lethium Battery
- (17) Canon Camera Charge
- (18) Cash Rs.1,84,600/- (500 x 338 = 1,69,000/-, 200 x 58 = 11,600/-, 20 x 200 = 4,000/-)



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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.7888/2025 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 18 seized articles, this Court is inclined to return vehicle bearing registration No. TN 14 AE 3723 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. 7888 of 2025 dated 16.07.2025 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 vehicle bearing



Registration No. TN 14 AE 3723 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.10,00,000/- (Ten 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

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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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T.V.THAMILSELVI J.

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