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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.11.2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.R.C. No.2164 of 2025

S. Rajendran

...Petitioner

Vs

The state rep by
The Inspector of Police (crime)
M-4 Redhills Police station,
Redhills, Chennai – 52

..Respondent

Prayer: This Criminal Revision petition is filed under Sections 438 r/w 442 of BNSS 397 and 401 of Cr.P.c to set aside the order in Crl.M.P.No.297 of 2025 dated 19.05.2025 at Judicial Magistrate -II at Ponneri and direct the respondent to consequently deposit all the documents before the Court and pass orders.

For Petitioner : Mr.V. Nandagopalan

For Respondent : Dr.C.E. Pratap, Govt Advocate

ORDER

This Criminal Revision has been filed to set aside the order in Crl.M.P.No.297 of 2025 dated 19.05.2025 at Judicial Magistrate -II at



Ponneri and pass orders.

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2.The brief facts of the case are as follows:

The petitioner is the owner of the subject property and the accused fabricated the documents purporting himself to be owner of the property and sold out the same. It is pertinent to note that a suit was already filed in O.S.No.94 of 2018 and the same is pending before Thiruvallur Sessions Court. The sum and substance of the case is that with regard to the issue a FIR was registered. Pursuant to which eight documents was seized by the respondent police. Hence, the petitioner filed a petition U/s 497 and 505 of BNSS to return the documents before the Judicial Magistrate -II at Ponneri and the same was dismissed on 19.05.2025, which has given rise to this petition.

3. The learned counsel for the petitioner submits that the documents seized by the respondent are not connected to the case. He further submitted a false case has been foisted against the petitioner, based on which the documents was seized by the respondent police. He further states that the



respondent police without any warrant and seizure took the valuable documents. Hence, prays to allow this petition.

4. The learned Government Advocate appearing for the respondent raised strong objection in return of documents as the same is essential for the purpose of investigation. He further submitted that except the documents in S.Nos 1 and 2 i.e Document No.3489/1992 date:24.03.1192/ Document under Name; Naresh Kumar /o Natarajan, document Page 26 and Document No.7163/1192 date:25.03.1992/ Document under Name; Subramani S/o Kannupillar, document Page 26 all other documents are very much necessary for the purpose of investigation and the same cannot be returned at this stage as the same will affect the investigation.

5. Heard both sides and perused the material available on record.

6. On a perusal of records the impugned order it is seen that the learned Judge had made an observation that the petitioner is running a real estate in the name of Sathya Sai Agency and the petitioner has created forged document and sold the said property. The original parent documents are in the custody of defacto complainant. It was further stated that as the investigation is not yet completed and considering the gravity of the offence, the document

3/5



in question cannot be returned and dismissed the petition.

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7. In view of the above facts and considering the submissions of the learned Government Advocate this Court is of the view that except the documents in S.Nos 1 and 2 all other documents from S.No.3 to 8 in the impugned order dated 19.05.2025 are not relevant and shall be handed over to the petitioner within a period of three weeks from the date of uploading of the order copy.

8. With the above observations, this Criminal Revision case stands disposed.

Index : Yes/No
Internet : Yes/No
Speaking/Non-speaking Order
smn

17.11. 2025

To.

1. The learned Judicial Magistrate -II at Ponneri

2. The Inspector of Police (crime)

4/5



M-4 Redhills Police station,
Redhills, Chennai – 52t

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T.V.THAMILSELVI.,J
smn

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