



Crl.R.C.No.1733 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.RC.No.1733 of 2025

Kannan @ Nagappan

.... Petitioner

Vs.

State represented by
The Inspector of Police
CBCID, Cuddalore.
(Crime No.01 of 2024)

.... Respondent

PRAYER: Criminal Revision Petition filed under Sections 438 & 442 of BNSS Act, 2023, praying to call for the records relating to the order dated 30.12.2024 made in Cr.M.P.No.16203 of 2024 in Cr.1/2024 by the learned Chief Judicial Magistrate, Cuddalore and set aside the same.

For Petitioner : Mr.V.Balu

For Respondent : Dr.C.E.Pratap
Government Advocate (Crl.Side)



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ORDER

This petition has been filed to call for the records relating to the order dated 30.12.2024 made in Cr.M.P.No.16203 of 2024 in Crime No.1 of 2024 by the learned Chief Judicial Magistrate, Cuddalore and set aside the same.

2. The accused had filed in Crl.M.P.Nos.16203/2024 & 16204/2024 dated 30.04.2024 before the trial Court seeking for return of articles, namely mobiles (2 mobile phone -1) Samsung Galaxy M13 (Stardust Brown, 4GB, 64 GB Storage), 6000 mAh Battery up to 8 GB RAM with Plus/B0B4F2K7N1(STPL M 13 4/64 Brown and 2) Samsung Galaxy M34 5G (Prism Silver, 8GB, 128GB) 120Hz sAMOLED Display / 50 MP Triple No shake Cam/600mAh Battery 4GenOS upgrade & 5 year security update/16GB RAM with RAM+/Anroid14/without Charger/B0c71JGQL (STPL M345GB8/28 Silver). The trial Court dismissed the application on hearing both sides holding that the articles were sent to Forensic Lab for examination which was said to be used for creating fake documents. Besides, the petitioner has not filed any material documents to show that he is the owner of those articles. Therefore, it was dismissed. Challenging the same, the present petition is filed.



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3. The learned counsel for the petitioner submitted that those articles are very much necessary for conducting IDS NEXT next business and therefore, the petitioner needs those electronic items and prayed for return of the articles with any conditions. But, the prosecution states that already those articles sent for expert opinion and it is under the analysis. Therefore, the trial Court has rightly dismissed the application. However, the learned counsel for the petitioner has submitted that more than 8 months the articles were taken into the custody of the police and electronic articles may be returned to the petitioner. Therefore, he was need of those documents and ready with abide to any conditions.

4. This Court gives top priority for the articles, which were under chemical analysis under the forensic lab. Therefore, the findings of the Trial Judge is confirmed. But, however, the report can be obtained within three months.



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T.V.THAMILSELVI, J.
dna

5. Accordingly, this Criminal Original Petition is dismissed.

18.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
dna

To

1.The Chief Judicial Magistrate, Cuddalore.

2.The Inspector of Police
CBCID, Cuddalore.
(Crime No.01 of 2024)

3.The Public Prosecutor
High Court, Madras.

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