



Crl.R.C.No.1537 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2025

CORAM:

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

Crl.R.C.No.1537 of 2025

Gowthaman

..... Petitioner

Vs

State rep. by
Forest Range Officer,
Thadagam Range,
Coimbatore
WLOR No.2 of 2025

..... Respondent

PRAYER: Criminal Revision Case is filed under Sections 438 & 442 of BNSS, 2023, praying to set aside the order dated 05.08.2025 in Crl.M.P No.7518 of 2025 on the file of learned Judicial Magistrate No.2, Coimbatore and allow the above criminal revision petition.

For Petitioner : Mr.R.Thamaraiselvan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This Criminal Revision Case has been filed challenging the order dated 05.08.2025 passed in Crl.M.P No.7518 of 2025 on the file of learned Judicial Magistrate No.2, Coimbatore, thereby dismissing the petition filed for



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return of a petitioner's property

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2. Heard the learned counsel appearing on either side and perused, all the materials available on record.

3. On perusal of records, it is revealed that the accused persons involved in illegal selling of leopard claws, leopard teeth and ivory through whats app. Therefore, the respondent registered a criminal case in WLOR No.2 of 2015 under Sections 39-1(b), 39(2), 48(A), 49(B), 50 and 51 of Wildlife Protection Act. In connection with the said criminal case, the cell phone of the petitioner, who is an accused in that case, was seized and produced before the court concerned. Therefore, the petitioner, being the owner of the cell phone, filed the petition seeking to return the same. However, the said petition was dismissed by the learned Judicial Magistrate No.2, Coimbatore. Aggrieved by the said order, this criminal revision case has been filed.

4. On perusal of records, it is revealed that admittedly the petitioner is an accused in the aforesaid case and by using his cell phone, the accused persons involved in selling leopard claws, leopard teeth and ivory through whats app. However, this Court is of the view that keeping the cell phone in the



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custody of the respondent would not serve any purpose. Considering the same,

this Court is inclined to return the cell phone to the petitioner and accordingly, the impugned order dated 05.08.2025 passed in Crl.M.P No.7518 of 2025 on the file of learned Judicial Magistrate No.2, Coimbatore, is hereby set aside. The learned Judicial Magistrate No.2, Coimbatore, is directed to return the petitioner's white colour NOTHING cell phone in PR.No.140 of 2025 to the petitioner, forthwith on the following conditions:-

(i) the petitioner shall produce the original purchase bill of the cell phone before the concerned Magistrate.

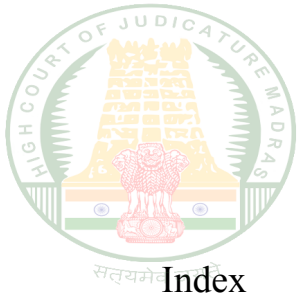
(ii) the seized item should be photographed at the cost of the petitioner herein and a list is to be prepared and the same is to be signed by the petitioner.

(iii) the petitioner shall not alienate and shall not make any alteration in the cell phone.

(iv) the petitioner shall produce the cell phone before the Court and before the respondent police as and when required;

(v) If any of the conditions are violated, this order automatically stands cancelled.

5. Accordingly, the Criminal Revision Case stands allowed.



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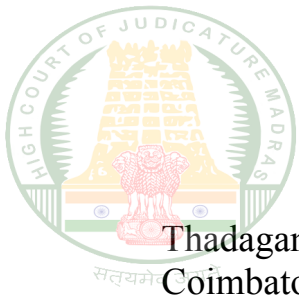
Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

1.The learned Judicial Magistrate No.2, Coimbatore

2.Forest Range Officer,

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Thadagam Range,
Coimbatore

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3. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.

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