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Crl.R.C.No.1832 of 2025

T.V.THAMILSELVI, J.

Today, this Criminal Revision Case is listed under the caption, “For Being Mentioned” at the instance of the learned counsel for petitioner.

2. The learned counsel for petitioner submitted that the petitioner is Accused No.3 in Crime No.34 of 2025 on the file of respondent Police. However, in Paragraph No.2 of the Order dated 25.09.2025 in Crl.R.C.No.1832 of 2025, the said Crime Number has been wrongly typed as Crime No.302 of 2025, instead of, Crime No.34 of 2025. Therefore, the learned counsel for petitioner prayed that the said typographical error may be rectified.

3. The learned Government Advocate (Crl.Side) appearing on behalf



of respondent Police submitted that he has no serious objection for rectifying the aforesaid typographical error crept-in in Paragraph No.2 of the Order dated 25.09.2025 in CrI.R.C.No.1832 of 2025 passed by this Court.

4. Considering the submissions made by the learned counsel on either side, this Court is inclined to rectify the typographical error crept-in in Paragraph No.2 of the Order dated 25.09.2025 in CrI.R.C.No.1832 of 2025. Accordingly, the same is rectified and 1st three lines in Paragraph No.2 of the said order reads as follows:

“2. The petitioner is arrayed as A3 in Crime No.34 of 2025 on the file of the respondent Police, registered for the offences punishable under Sections 18(c) r/w. 22(b), 25, 29(1) of NDPS Act and under Sec.77 of Juvenile Justice Care and Protection of Children Act, 2015.”

5. In all other aspects, Order dated 25.09.2025 in CrI.R.C.No.1832 of 2025 shall remain unaltered. Registry is directed to issue a fresh order copy



to all concerned, after carrying out the aforesaid correction.

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30.10.2025

mrr

Index: Yes/No

Speaking Order (or) Non-Speaking Order

T.V.THAMILSELVI, J.

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30.10.2025



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CRL RC No. 1832 of 2025



DATED: 25-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 1832 of 2025

Karthick
S/o. Sekkar TD,
Residing at No.2/156, 6th Street, RR
Nagar, Paraniptur,
Kancheepuram-600 037.

Petitioner(s)

Vs

The State Rep By The Inspector Of
Police
R-9, Valasaravakkam Police Station,
Chennai.

Respondent(s)

PRAYER

To call for the records relating to the order passed in Crl.M.P. No.3306 of 2025 dated 27.06.2025 on the file of the Learned Seccion Judge I Additional, Special Court for EC and NDPS Chennai set aside the order same.

For Petitioner(s): Mr.Teja R.

For Respondent(s): Dr.C.E.Pratap,
Govt. Advocate (Crl. Side)

**ORDER**

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This Criminal Revision Case has been filed challenging the order dated 27.06.2025 passed in CrI.M.P. No.3306 of 2025 by the Sessions Judge I Addl. Special Court for EC and NDPS Act, Chennai, thereby dismissing the petition filed for return of the property, viz., a POCO Mobile phone, OPPO mobile phone and Yamaha Ray Scooter bearing Regn. No. TN-10 BP 1374 and cash of Rs.35,000/-, which was seized by the respondent police.

2. The petitioner is arrayed as A3 in Crime No.302 of 2025 on the file of the respondent Police, registered for the offences punishable under Sections 18(c) r/w 22(b), 25, 29(1) of NDPS Act and under Sec.77 of Juvenile Justice Care and Protection of Children Act, 2015. Pursuant to the registration of the FIR, the respondent police seized the petitioner's mobile phones, two-wheeler and cash and produced the same before the Trial Court. Therefore, the petitioner filed a petition seeking return of the property. However, the same was dismissed on the ground that the mobile phones would be a digital evidence and would be of immense use in proving guilt and no sufficient documents produced by him to show his ownership of cash.



3. The learned counsel for petitioner would submit that he is a Zomato boy and he is owner of the property and he was falsely implicated in this case. Hence, he prayed to return of property seized by the respondent police.

4. The learned Government Advocate (Crl. Side) appearing for respondent raised objections for return of property and as on date, final report was filed.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. A perusal of the records reveals that the mobile phones, two-wheeler and the cash of Rs.35,000/- were seized from the petitioner and the same were deposited before the Trial Court and he is a Zomato boy and he is the owner of property as per the undertaking given by him. The said mobile phones, two-wheeler and cash owned by the petitioner have nothing to do with the alleged offence. Therefore, the possession of mobile phones and two wheeler would be a digital evidence and would prove the guilt is not a valid ground to retain the mobile phone and the two-wheeler as well as cash in this case.



6. In view of the above, this Court is inclined to order the return of the the mobile phones, two wheeler and a cash to the petitioner. Accordingly, the order dated 27.06.2025 passed in Crl.M.P. No.3306 of 2025 by the Sessions Judge, I Addl. Special Court for EC and NDPS Act, Chennai, is hereby set aside. The Sessions Judge, I Addl. Special Court for EC and NDPS Act, Chennai is directed to return the POCO mobile phone. OPPO mobile phone , Yamaha Ray Scooter bearing Regn. No.TN-10 BP 1374 and a cash of Rs.35,000/- to the petitioner, forthwith on the following conditions:-

(i) the petitioner shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand 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.

(ii) the petitioner shall deposit the original invoice or bill of the phone and the original registration certificate of the two-wheeler before the concerned Magistrate.

(iii) the seized items 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 mobile and the two-wheeler.



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(v) the petitioner shall produce the mobile and the two-wheeler before the Court and 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.

25-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

rpp

To

1. Sessions Judge, I Addl. Special Court for EC and NDPS Act, Chennai.

2. The Inspector of Police, R-9, Valasaravakkam Police Station, Chennai.

3. The Public Prosecutor, High Court, Madras.



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25-09-2025