



Crl.RC .No.2402 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2025

CORAM:

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

Crl.R.C.No.2402 of 2024

D.Hemakumar

..... Petitioner

Vs

1. State rep by
Inspector of Police,
Team -XV, Land Fraud Investigation Wing,
Central Crime Branch,
Vepery, Chennai – 600 007.
Crime No.289 of 2023.

2. R.Shanthi
(R2 impleaded as per the order
dated 14.07.2025 in Crl.M.P.No.13792
of 2025 in Crl.R.C.No.2402 of 2024)

..... Respondent

Prayer: Criminal Revision is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and set aside the order dated 04.10.2024 passed in Crl.M.P.No.46321 of 2024 to return of 4 sale deed bearing document No.2443/2020, 8426/2021, 8427/2021, 8428/2021, Book-1, on the file of the SRO Thiruvottiyur to the petitioner by learned Metropolitan Magistrate Court for CCB Cases and CBCID Metro Cases, Egmore, Chennai-08 in Crime No.289 of 2023 (on the file of the Inspector of Police, Central Crime Branch, Team XV LFIW, Vepery, Chennai – 600 007).

For Petitioner : Mr.A.Thiagarajan



WEB COPY



Crl.RC .No.2402 of 2024

For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

R2 : Mr.S.Alan David Rufus

ORDER

This Criminal Revision Case has been filed challenging the order dated 04.10.2024 passed in Crl.M.P.No.46321 of 2024 by the learned Metropolitan Magistrate for CCB Cases and CBCID Metro Cases, Egmore, Chennai, thereby dismissing the petition filed by the petitioner seeking return of the original documents.

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

3. The case of the prosecution is that the petitioner, along with others, with an intention to grab the property, which originally belonged to one Jeganatha Mudaliar, situated at Konnur Village, Villivakkam, Chennai. laid out the said property into house plots and sold them to various parties. Subsequently, in the year 2006, one Sowndarrajan executed a power of attorney claiming ownership of the said property. Thereafter, the petitioner herein sold out the very same plots in favour of A2 to A6. While being so, the second



Crl.RC .No.2402 of 2024

respondent herein lodged a complaint alleging that she had already purchased the property from the said Jeganatha Mudalir and that the very same property had once again been sold by the petitioner herein.

4. Pending investigation, the petitioner filed a petition seeking return of the property documents registered vide Document Nos. 2443/2020, 8426/2021, 8427/2021, 8428/2021, contending that the said documents do not pertain to the subject property situated at North Jaganthan Nagar, Villivakkam, Chennai. Whereas, those documents are pertaining to the properties in Arulanandham Nagar.

5. A perusal of the records reveals that the investigation is still pending in Crime No.289 of 2023. That apart, the petitioner has been involved in four other cases of a similar nature. Therefore, while pending investigation, the documents, which were seized by the first respondent from the house of the petitioner, cannot be returned. Hence, the Trial Court rightly dismissed the petition filed by the petitioner.

6. In view of the above, this Court finds no infirmity or illegality in the order dated 04.10.2024 passed in Crl.M.P.No.46321 of 2024 by the learned Metropolitan Magistrate for CCB Cases and CBCID Metro Cases,



Crl.RC .No.2402 of 2024

Egmore, Chennai. However, the petitioner is at liberty to file a fresh petition

WEB COPY

for the return of the property documents, in accordance with the due procedure.

7. In the result, this Criminal Revision Case stands dismissed.

29.07.2025

Index : Yes/No

Internet : Yes/No

Speaking/Non Speaking order

Lpp

To

1. The Metropolitan Magistrate for CCB Cases and
CBCID Metro Cases, Egmore, Chennai.

2. The Inspector of Police,
Team -XV, Land Fraud Investigation Wing,
Central Crime Branch,
Vepery, Chennai – 600 007.

3. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN. J,

Lpp



WEB COPY



Crl.RC .No.2402 of 2024

Crl.R.C.No.2402 of 2024

29.07.2025