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CRL OP No. 27857 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 27857 of 2025

Rajasekar

Petitioner(s)

Vs

State by, The Inspector of Police,
Kullanchavadi Police Station,
Cuddalore District. Cr.No.143/2025.

Respondent(s)

PRAYER

Criminal Original Petition filed under Section 528 of BNSS Act to call for the records and set aside the order dated 08.09.2025 made in CrI.M.P.No.1716/2025 in Cr.No.143/2025 (On the file of the Kullanchavadi Police Station, Cuddalore District) passed by the learned District Munsif cum Judicial Magistrate, Kurinjipadi, Cuddalore District.

For Petitioner(s): Mr.D.Ashokkumar

For Respondent: Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER

Challenging the dismissal order dated 08.09.2025 made in CrI.M.P.No.1716/2025 in Cr.No.143/2025 (On the file of the Kullanchavadi



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Police Station, Cuddalore District) passed by the learned District Munsif cum Judicial Magistrate, Kurinjipadi, Cuddalore District, which was filed for modification, the present petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the documents placed on record.

3. Originally, the petitioner filed an application before the trial court for return of fire crackers which was seized. The trial Court in Crl.M.P.No.1333 of 2025 in Crime No.143 of 2025 dated 19.07.2025 ordered return of property on condition that the petitioner shall establish the ownership of the property. Thereafter, the petitioner filed an application in Crl.M.P.No.1716 of 2025 to modify the condition imposed in Crl.M.P.No.1333 of 2025 dated 19.07.2025 stating that the ownership is in the name of petitioner's father, the said petition was dismissed on 08.09.2025. As against the same, the petitioner has filed the present petition.



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4. It is relevant to note that the petitioner sought to modify the condition, viz., to establish the ownership of the property, stating that the bills were issued in the name of petitioner's father, viz., Ramalingam, therefore, seeks to modify the condition. The learned Additional Public Prosecutor appearing for the respondents has no objection for release of the crackers. Therefore, merely because the bills stood in the name of the father of the petitioner, the same cannot be a ground to refuse the release of the fire crackers.

5. In such view of the matter, the order of the trial court in Crl.M.P.No.1716 of 2025 dated 08.09.2025 is set aside and the trial court shall release the fire crackers to the petitioner, on production of the bills in the name of the petitioner's father. Accordingly, the present petition is allowed.

13-10-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

ssd



To
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1. The District Munsif cum Judicial Magistrate, Kurinjipadi, Cuddalore District,
2. State by, The Inspector of Police, Kullanchavadi Police Station, Cuddalore District. Cr.No.143/2025.
3. The Public Prosecutor, High Court, Madras



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CRL OP No. 27857 of 2



N.SATHISH KUMAR J.

ssd

**CRL OP No. 27857 of
2025**

13-10-2025