



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2082 of 2025

1. BALAJI

S/o. Elumalai, 372/20, 20th Street,
NSk Nagar, Arumbakkam, Chennai-
600106.

Petitioner(s)

Vs

1. The State rep by Inspector of Police
Nolambur Police Station, Chennai.
Crime No.79 of 2025.

Respondent(s)

CRL RC No. 2082 of 2025

PRAYER

To set aside the order dated 29.09.2025 made in CrI.M.P.No.5952 of 2025 on the file of the Principal Special Court under Ec and NDPS Act, Chennai and Allow the above Criminal Revision.

CRL RC No. 2082 of 2025

For Petitioner : Mr. S. Kasirajan

For Respondent(s): Dr.C.E. Pratap,



WEB COPY



Government Advocate (crl. Side)

ORDER

This Criminal Revision Case has been filed to set aside the order dated 29.09.2025 made in Crl.M.P.No.5952 of 2025 on the file of the Principal Special Court under Ec and NDPS Act, Chennai.

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

3. The petitioner is arrayed as A4 in Crime No.79 of 2025 on the file of the respondent Police, registered for the offences punishable under Section 8(c) r/w 20(b)(ii)(B), 22 (b) and 29(1) of the NDPS Act, 1985, alleging that the petitioner, along with the other accused, possessed 3 grams of Cocaine. The respondent also seized the petitioner's Realm mobile phone 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 material object has to be marked, which would be a vital piece of evidence.



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

5. A perusal of the records reveals that the Realm mobile phone were seized from the petitioner and the same were deposited before the Trial Court. The said mobile phone owned by the petitioner has nothing to do with the alleged offence.

6. In view of the above, this Court is inclined to order the return of the mobile phone to the petitioner. Accordingly, the order dated 29.09.2025 made in Crl.M.P.No.5952 of 2025 on the file of the Principal Special Court under Ec and NDPS Act, Chennai, is hereby set aside. The Principal Special Court under Ec and NDPS Act, Chennai, is directed to return the realm mobile phone seized in connection with crime No.79 of 2025 on the file of the respondent Police, to the petitioner, forthwith on the following conditions:-

(i) the petitioner shall execute a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the concerned Magistrate to the credit of crime No.79 of 2025 pending on the file of the respondent police.



WEB COPY

(ii) the petitioner shall deposit the original invoice or bill of the phone 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.

(v) the petitioner shall produce the mobile 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 disposed of.

24-10-2025

pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Principal Special Court under Ec and NDPS Act, Chennai.

2. The Public Prosecutor, High Court, Madras.



WEB COPY

CRL RC No. 2082 of 2025



T.V.THAMILSELVI J.

pbl

**CRL RC No. 2082 of
2025**

24-10-2025