



WEB COPY

CRL RC No. 2211 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2211 of 2025

1. ESHWAR

S/o.Gopal, No.86/67, Arani Road,
Thoppukana, Arcot, Ranipet District.

Petitioner(s)

Vs

1. The Inspector of Police,
K-8, Arubakkam Police Station,
Chennai. Cr.No.399/2025.

Respondent(s)

PRAYER

To call for records pertaining to the order dated 26.09.2025 passed by learned Principal Special Court under EC and NDPS Act Chennai in CrI.M.P.No.5965/2025 and to set aside the same.

For Petitioner(s): R.Thirumoorthy

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

ORDER

This Criminal Revision Case has been filed challenging the order dated 26.09.2025 passed in CrI.M.P.No.5965 of 2025 on the file of the Principal



Special Court under NDPS and EC Act, Chennai, thereby dismissing the petition filed by the petitioner seeking return of his mobile phone, viz., iPhone 16 Pro Max, (IMEI Numbers 359476734943664 & 359476734553257) to the petitioner.

2. The petitioner is an accused in Crime No.399 of 2025, registered for the offences under Sections 8(c) r/w 22(b), 25, 29(1) of the NDPS Act, alleging that the petitioner and other accused have illegal transportation of 16.33 grams of Methamphetamine. Pursuant to the registration of the FIR, the contraband and the petitioner's mobile phone were seized and produced before the Trial Court. Subsequently, the petitioner was arrested and remanded to judicial custody. Thereafter, the petitioner filed an application seeking return of his mobile phone. However, the same was dismissed by the Trial Court on the ground that the investigation is still pending and the material objects are required to be marked during trial.



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

4. The learned counsel for the petitioner submitted that he has been falsely implicated in this case, as he had only helped one of the accused by paying a sum of Rs.500/-, but was unnecessarily roped in as an accused.

5. The prosecution submitted that the petitioner is ranked as A10 in the case; however, he is a doctor by profession and also admitted that no recovery was made from the petitioner and that he has no previous criminal antecedents.

6. In view of the above discussions, this Court is inclined to order the return of the mobile iPhone 16 Pro Max to the petitioner. Accordingly, the order dated 26.09.2025 passed in Crl.M.P.No.5965 of 2025 on the file of the Principal Special Judge under NDPS and EC Act, Chennai, is hereby set aside. The learned Principal Special Judge under NDPS and EC Act, Chennai, is directed to return the petitioner's mobile iPhone 16 Pro Max forthwith subject to the



following conditions:-

(i) the petitioner is directed to execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the concerned Magistrate to the credit of Crime No.399 of 2025 pending on the file of the respondent police.

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

(iii) 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.

(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 before the respondent police as and when required;

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

6. Accordingly, the Criminal Revision Case stands allowed.

31-10-2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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1. The Inspector of Police,
K-8, Arubakkam Police Station,
Chennai. Cr.No.399/2025.

2. The Principal Special Court under
EC and NDPS Act Chennai.



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T.V.THAMILSELVI J.
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