



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

Crl.R.C.No.2612 of 2025

C.Prakash

...Petitioner

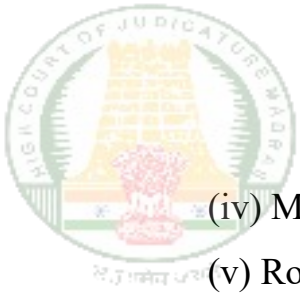
Versus

State by
The Inspector of Police,
Intellectual Property Rights Enforcement Cell,
Unit – II,
Chennai.
Crime No.2 of 2025.

...Respondent

This Criminal Revision Case is filed under Section 438 and 442 of BNSS, 2023 praying to call for the records and set aside the order passed by learned XI Metropolitan Magistrate, Saidapet, Chennai in Crl.M.P.No.3222 of 2025 dated 25.04.2025 in Crime No.2 of 2025 pending on the file of Inspector of Police, Intellectual Property Rights Enforcement Cell, (Unit – II), Ayanavaram, Chennai and to direct the respondent to return the computer and accessories.

- (i) CPU (1 nos.)
- (ii) Monitor (1 nos.)
- (iii) Keyboard (1 nos.)



(iv) Mouse – (1 nos.)

(v) Router – (1 nos.)

(vi) Hard Disc – (2 nos.)

For Petitioner : Mr.Prasanna Natarajan
For Respondent : Dr.C.E.Pratap,
Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case has been filed by the Petitioner seeking to set aside the order dated 25.04.2025 in Crl.M.P.No.3222 of 2025 passed by the learned XI Metropolitan Magistrate, Saidapet, Chennai and to direct the Respondent Police to return the petitioner's computer accessories viz.,

(i) CPU (1 nos.)

(ii) Monitor (1 nos.)

(iii) Keyboard (1 nos.)

(iv) Mouse – (1 nos.)

(v) Router – (1 nos.)

(vi) Hard Disc – (2 nos.)

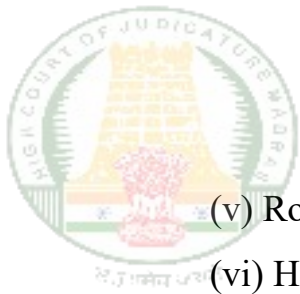
2. The brief facts of the case are that one Mr.Sankara Narayanan (*de facto* complainant) is the producer of a feature film viz., Aayirathil Iruvar. As a producer of the said film, *de facto* complainant has negative rights,



exhibition rights and all the electric and electronic rights and from 21.09.2017, *de facto* complainant had obtained all the theatrical, YouTube and OTT rights of the said film. While so, it was found by the *de facto* complainant that on 22.11.2023, Aayirathil Iruvar film was released in the Petitioner's YouTube channel viz., Real Music and thereafter, on 07.01.2025, the said film was released in the Petitioner's YouTube channel viz., Tamil Digital Channel. Without procuring any legal rights from the *de facto* complainant, his film, Aayirathil Iruvar was released in the YouTube channels owned by the Petitioner. Therefore, *de facto* complainant had lodged a complaint to the Respondent Police in this regard. Based on the complaint of *de facto* complainant, Respondent Police had registered a case in Crime No.2 of 2025 under Section 52(A) and 68(A) of Copy Rights Act, 1957 against the Petitioner.

3. During investigation, on 07.01.2025, the Respondent Police had seized the Petitioner's computer accessories viz.,

- (i) CPU (1 nos.)
- (ii) Monitor (1 nos.)
- (iii) Keyboard (1 nos.)
- (iv) Mouse – (1 nos.)



(v) Router – (1 nos.)

(vi) Hard Disc – (2 nos.)

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from the Petitioner and kept the same under their custody. Aggrieved by the same, Petitioner has filed a petition in CrI.M.P.No.3222 of 2025 before the learned XI Metropolitan Magistrate, Saidapet, Chennai praying to return his computer and accessories which were seized by the Respondent Police, but, the said petition was dismissed on 25.04.2025. Hence, Petitioner has filed the present Criminal Revision Case before this Court.

4. The learned counsel for Petitioner submitted that the learned XI Metropolitan Magistrate, Saidapet, Chennai has dismissed CrI.M.P.No.3222 of 2025 by holding that since the investigation of the case is not yet completed and the articles seized from the Petitioner were already sent to Forensic Lab for examination, the order returning of case property to the Petitioner cannot be granted now.

4.1. It is further submitted by the learned counsel for Petitioner that the computer accessories which were recovered from the Petitioner are most essential for the business of Petitioner and that apart, if the seized computer



accessories are kept in the custody of Respondent Police without any usage, the value of the same would be certainly deteriorated.

4.2. The learned counsel the Petitioner also submitted that Petitioner is ready to abide any condition to be imposed by this Court and also, he is ready to produce the case property before the Court below and Respondent Police, as and when required. Therefore, the learned counsel prayed that appropriate direction may be issued to the respondent Police to return the computer accessories to Petitioner.

5. On the other hand, the learned Government Advocate (Crl.Side) appeared on behalf of Respondent Police submitted that the articles which were seized from the Petitioner have been used for the commission of intellectual offence and the same have been sent to Forensic Lab for examination. If the said case properties are returned to the Petitioner, there is every possibility for the Petitioner to tamper the evidences and that apart, it would affect the investigation of the case. Therefore, the learned XI Metropolitan Magistrate, Saidapet, Chennai has dismissed the petition filed by the Petitioner praying interim custody of the case property.



6. Heard the learned counsel for Petitioner and the learned Government Advocate (Crl.Side) appeared on behalf of Respondent Police.

7. In the present case, *de facto* complainant is the producer of the feature film viz., Aayirathil Iruvar. As a producer of the said film, *de facto* complainant has negative rights, exhibition rights and all the electric and electronic rights and also, he obtained all the theatrical, YouTube and OTT rights of the said film. While so, without obtaining any legal rights from the *de facto* complainant, his film Aayirathil Iruvar was released in the Petitioner's YouTube channels. Therefore, *de facto* complainant had lodged a police complaint against the Petitioner, pursuant to which, Respondent Police had registered a case against the Petitioner. During the investigation of case, Respondent Police had seized the Petitioner's computer and accessories viz.,

- (i) CPU (1 nos.)
- (ii) Monitor (1 nos.)
- (iii) Keyboard (1 nos.)
- (iv) Mouse – (1 nos.)
- (v) Router – (1 nos.)
- (vi) Hard Disc – (2 nos.)



from the Petitioner and kept the same under their custody. Hence, Petitioner has filed a petition before the Court below seeking to return his computer accessories which were seized by the Respondent Police, but, the same was dismissed. Hence, Petitioner has filed the present Criminal Revision Case before this Court.

8. As far as this case is concerned, Petitioner's computer accessories have been under the custody of Respondent Police since 07.01.2025. The Petitioner is ready to abide any condition to be imposed by this Court and also, he is ready to produce the case property before the Court below and Respondent Police, as and when required.

9. Considering the facts and circumstances of the case and taking note of the provision under Section 451 of Cr.P.C and Section 497(1) of BNSS, 2023 which deal with the proper custody of property involved in criminal proceedings, this Court is inclined to set aside the impugned order and to issue appropriate direction to the Respondent Police to return the seized computer accessories to the Petitioner.



10. Accordingly, Order dated 25.04.2025 in Crl.M.P.No.3222 of 2025

passed by the learned XI Metropolitan Magistrate, Saidapet, Chennai is set aside and the Respondent Police is directed to return the Petitioner's computer accessories viz.,

- (i) CPU (1 nos.)
- (ii) Monitor (1 nos.)
- (iii) Keyboard (1 nos.)
- (iv) Mouse – (1 nos.)
- (v) Router – (1 nos.)
- (vi) Hard Disc – (2 nos.)

to Petitioner subject to the following conditions:

(i) The Petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the concerned learned Magistrate to the credit of Crime No.02 of 2025 pending on the file of Respondent Police.

(ii) The Petitioner shall deposit the original invoice or bill of the computer accessories which are under the custody of Respondent Police.

(iii) The seized computer accessories should be photographed at the cost of Petitioner and a list has to be prepared and the same has to be signed by the Petitioner.



(iv) The Petitioner shall not alienate and shall not make any alteration in the said computer accessories.

(v) The Petitioner shall produce the computer accessories before the Court and also, before the respondent Police, as and when required.

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

11. This Criminal Revision Case shall stand allowed on the above terms.

28.11.2025

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Index: Yes/No

Speaking Order (or) Non-Speaking Order

To

1.The XI Metropolitan Magistrate,
Saidapet, Chennai.

2.The Inspector of Police,
Intellectual Property Rights Enforcement Cell,
Unit – II, Chennai.

3.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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