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Crl.O.P.No.34001 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.34001 of 2025

G.Kovil Pichai

...Petitioner

Vs.

The State represented by,
Inspector of Police,
Steel Plant Police Station,
Salem City.

...Respondent

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to set aside the order in revision petition in C.R.P.No.44 of 2023 dated 09.12.2024, on the file of the III Additional District Judge, Salem, confirming the order passed in Crl.MP.No.3749 of 2023 dated 15.11.203 on the file of the Judicial Magistrate No.I, Salem and consequently order for return of cash to the tune of Rs.8,00,000/- and the Samsung Black Color Mobile Phone carrying AIRTEL Sim No.98656 15313 to the petitioner.

For Petitioner : Mr.M.Himavanth

For Respondent : Mr.S.Santhosh, GA (Crl. Side)



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ORDER

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The present criminal original petition has been filed to quash the order dated 09.12.2024 passed in C.R.P.No.44 of 2023 on the file of the learned III Additional District Judge, Salem, confirming the order dated 15.11.2023 passed by the learned Judicial Magistrate No.I, Salem in Crl.MP.No.3749 of 2023.

2. Today, when the matter was taken up for hearing, the learned Government Advocate (Crl. Side) appearing for the respondent submitted that this petition cannot be entertained, since it would amount to second revision, which is barred under Section 397(3) of Cr.P.C. He also submitted that the revisional court had dismissed the revision filed by the petitioner, confirming the findings of the trial court on the ground that the investigation is not completed. However, subsequently, investigation has been completed and a final report has been filed before the learned Judicial Magistrate No.I, Salem in C.C.No.1883 of 2025.

3. At this juncture, the learned counsel for the petitioner sought permission of this Court to withdraw this criminal original petition with liberty to file a fresh application before the trial court seeking return of case



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properties. An endorsement to the said effect was also made by the learned counsel for the petitioner in this petition today.

4. In view of the above, this criminal original petition stands **dismissed as withdrawn** with liberty to the petitioner to file a fresh application before the court concerned seeking return of properties.

15.12.2025

skt

Neutral Citation: Yes/No

To

1. The III Additional District Judge,
Salem.
2. The Judicial Magistrate No.I,
Salem.
3. The Inspector of Police,
Steel Plant Police Station,
Salem City.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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