



Crl.R.C.No.2801 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C.No.2801 of 2025
and
Crl.M.P.No.24391 of 2025

Ilaiyaraja

...Petitioner

-Vs-

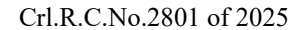
The State
Rep. By the Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai – 600 081.

...Respondent

PRAYER: Criminal Revision Petition filed under Sections 438 and 442 of BNSS, 2023, praying to call for the records in Crl.M.P.No.6783 of 2025 in C.C.No.1069 of 2025 in Crime No.387 of 2025 on the file of the respondent police, H-6, R.K.Nagar Police Station, relating to condition No.2 passed by the learned Special Judge-II, Additional Special Court for Exclusive Trial of Case under NDPS Act, Chennai, by its order dated 01.12.2025 and set aside the same.

For Petitioner : Mr.S.Venkatesh

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



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3. During the course of investigation, three cars belonging to the petitioner and certain property documents, along with the original RC books, were seized by the respondent police. The petitioner filed an application seeking return of the said documents and vehicles. The learned Magistrate allowed the said application inter alia on the condition that “*the petitioner shall execute a bond for a sum of Rs.85,00,000/- (Rupees Eighty Five Lakhs only), along with two sureties each for a like sum, to the satisfaction of the II Additional Special Court for Exclusive Trial of Cases under the NDPS Act, Chennai*”.



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4. The learned counsel for the petitioner would submit that even according to the prosecution, the only material available against the petitioner is the confession of the co-accused; that no contraband was seized from the petitioner; and that therefore, the impugned condition is onerous, arbitrary and liable to be set aside.

5. The learned Government Advocate (Crl. Side), appearing for the respondent, fairly confirms that, as on date, the only material collected against the petitioner is the confession of the co-accused. The learned Government Advocate is also unable to justify the seizure of the petitioner's cars and property documents in the facts and circumstances of the present case.

6. In the light of the above, this Court is of the considered view that the condition referred to above is onerous and is liable to be set aside. Accordingly, the same is set aside.

7. In lieu thereof, the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only), along with two sureties each for a



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like sum, to the satisfaction of the II Additional Special Court for Exclusive Trial of Cases under the NDPS Act, Chennai.

8. All other conditions imposed by the learned Magistrate shall remain unaltered.

9. With the above modification, this Criminal Revision Case stands allowed. Consequently, the connected miscellaneous petition is closed.

17.12.2025

cda
Index : Yes/No
Speaking/Non-Speaking Order



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To

- 1.The Special Judge-II,
Additional Special Court for Exclusive Trial of Case under NDPS Act,
Chennai.
- 2.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

cda

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