



WEB COPY

CRL RC No. 2777 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 2777 of 2025

1. PRADEEP

S/o. Rangaraj, Door No.3/106,
Thadagam Pudhur, Chinnathadagam,
Coimbatore District.

Petitioner(s)

Vs

1. The State rep by
The Inspector of Police
K.G. Chavadi Police Station,
Coimbatore District. Crime No.184 of
2025.

Respondent(s)

PRAYER

Criminal Revision Petition filed under Section 438 read with 442 of BNSS, to set aside the order in Crl.M.P.No.844 of 2025 passed by the learned Judicial Magistrate Court IV, Coimbatore dated 25.11.2025.

For Petitioner(s): M.N.Balakrishnan

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

ORDER

The criminal revision has been filed by the petitioner challenging the dismissal of his application seeking return of cash of Rs.81,900/-, seized during the course of investigation in Crime No.184 of 2025 registered for the offences under Section 5 read with 7(3) of Lotteries Regulation Act.



2. The gist of the allegation against the petitioner is that the petitioner was engaged in the illegal sale of lottery tickets; that, on information, when he was intercepted by the respondent, he was found in possession of 315 Lottery Tickets and cash of Rs.81,900.

3. The petitioner sought for return of the cash before the trial Court. The trial Court dismissed the said application on the ground that the petitioner has not produced any proof to show that the said amount was legitimately earned.

4. The learned counsel for the petitioner would submit that the petitioner would abide by any stringent conditions for the return of the said cash; that it would not prejudice the case of the prosecution in any manner if the cash is returned; and that the petitioner would not dispute the fact that the cash of Rs.81,900 was seized from his possession.

5. The learned Government Advocate (Crl.Side) would submit that it is the case of the respondent that the cash was generated from the illegal sale of lottery tickets and is, therefore, liable to attachment.

6. Considering the fact that the respondent has still not collected



evidence to show that the amount seized from the petitioner has been derived from the illegal sale of lottery tickets, this Court is of the view that the cash can be returned to the petitioner subject to certain stringent conditions. It is also made clear that the respondent shall be entitled to seek attachment of the said amount under Section 107 of Cr.P.C, provided they satisfy the conditions stipulated in the said provisions. With the above observations, this Court is inclined to hand over interim custody of the cash of Rs.81,900/- seized from the petitioner on the following conditions:

(i) The petitioner shall execute a personal bond for sum of Rs.50,000/- [Rupees Fifty Thousand only] with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate Court-VI, Coimbatore.

(ii) The petitioner shall file an affidavit of undertaking stating that the said cash of Rs.81,900/- shall be returned as and when it is directed to be returned by the Judicial Magistrate Court-VI, Coimbatore.

7. Accordingly, this Criminal Revision Case stands allowed.

16-12-2025

dpa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. Judicial Magistrate Court-VI, Coimbatore

2. The Inspector of Police
K.G. Chavadi Police Station,
Coimbatore District. Crime No.184 of
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SUNDER MOHAN J.

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