



Crl.O.P.(MD)No.11917 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.11917 of 2025

Vignesh

... Petitioner

Vs

State of Tamilnadu rep. by,
1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Assistant Commissioner of Police,
Law and Order,
Thilagar Thidal Circle,
Madurai-625 001.

3.The Inspector of Police,
S.S.Colony Police Station,
Madurai.
In Crime No.170 of 2025.

4.Pulikutty Ayyanar,
The Sub-Inspector of Police,
S.S.Colony Police Station,
Madurai.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the first and second respondents and to order to return the cell phone (S23 Ultra Samsung Cell No.9894026655) from the illegal custody of the fourth respondent.



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For Petitioner
For R1 to R3

: Mr.M.Mohamed Rapi
: Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

The petitioner with grievance that the respondent Police has seized his mobile phone, pursuant to the case registered in Crime No. 170 of 2025, on the file of the S.S.Colony Police Station, Madurai, has filed this application seeking a direction to the respondents 1 and 2 to return his cell phone (S23 Ultra Samsung Cell No.9894026655) from the illegal custody of the fourth respondent.

2.The learned counsel appearing for the petitioner submits that the fourth respondent/ a Sub Inspector of Police, has been arrayed as an individual capacity. The petitioner has made certain allegations against the fourth respondent that he has seized his mobile phone unnecessarily and he is also keeping his mobile phone.

3.The learned Government Advocate (Crl. Side) takes notice for the respondents 1 to 3 and submits that the petitioner is a drunkard and



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he has abused his wife and also assaulted her and therefore, on the complaint of the petitioner's wife one Nazrin Nisha @ Ritikha, a case has been registered against the petitioner in Crime No.170 of 2025 on 02.03.2025. The learned Government Advocate claims that the fourth respondent police has not recovered the petitioner's mobile phone, however, the petitioner's wife gave a statement to the Inspector of Police, S.S.Colony Police Station, Madurai, dated Nil and it is stated that when the petitioner in a drunken mood, he had taken her mobile phone and he has also handed over his mobile phone to his wife.

4.The petitioner's wife is present before this Court and claimed that she is prepared to return the petitioner's Samsung S23 Ultra mobile phone (Cell No. 9894026655) upon the return of her own mobile phone by the petitioner.

5.Considering the facts and circumstances of the case, this Court is not inclined to entertain this petition. However, the Assistant Commissioner of Police, City Crime Branch, Madurai City, is directed to conduct enquiry and find out the truth, after hearing the petitioner



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and the fourth respondent. The fourth respondent and the petitioner shall appear before the Assistant Commissioner of Police, City Crime Branch, Madurai City. In the event, if there is any criminal act against the fourth respondent or the petitioner, she can refer the matter for appropriate action either before the internal committee or appropriate forum.

6. With the above directions, this criminal original petition is disposed of.

15.07.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
vsg

Note: Issue Order Copy on 16.07.2025.



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To

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Thilagar Thidal Circle,
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- 3.The Inspector of Police,
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- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

vsg

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