



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 9647 of 2026

V.M.Jothimani
S/o.Late. V.Murugesan,
No. 128/70, Chamiers Road,
Raja Annamalaipuram,
Chennai 600 028.

..Petitioner(s)

Vs

The State Rep. by its The Inspector of Police
Central Crime Branch -EDF Wing,
Team-III, Egmore,
Chennai 600 008.
(Cr.No. 484/2012)

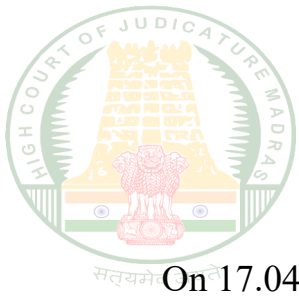
..Respondent(s)

PRAYER: This criminal original petition is filed under Sec.482 of CrPC/528, BNSS, praying to set aside the docket order passed in Memo filed by the petitioner CFR No. 658/2026 on 23.03.2026 on the file of Learned XI Metropolitan Magistrate, Saidapet, Chennai and to take the memo on file and pass appropriate orders.

CRL OP No. 9647 of 2026

For Petitioner(s): M.Sneha

For Respondent(s): Mr. Leonard Arul Joseph Selvam
Addl.Public Prosecutor.



Order

On 17.04.2026, this Court passed the following order:
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“This Criminal Original Petition has been filed to set aside the docketorder passed in Memo filed by the petitioner CFR No.658/2026 on 23.03.2026 on the file of Learned XI Metropolitan Magistrate, Saidapet, Chennai and to take the memo on file.

2. The petitioner, who is arrayed as an accused in Crime No.484 of 2012, had filed an anticipatory bail application in Crl.O.P.No.23324 of 2012 and this Court by order dated 03.10.2012 granted anticipatory bail to the petitioner with certain conditions. One of the conditions was that the petitioner has to deposit a sum of Rs.50,00,000/- to the credit of Crime No.484 of 2012 before the learned XI Metropolitan Magistrate, Saidapet, Chennai within a period of two weeks. Pursuant to the said order, the petitioner had deposited Rs.50,00,000/- by way of a demand draft drawn in State of India, Shri Nagar Colony Branch, Saidapet, in term deposit account No.32617457879. On completion of investigation, a charge sheet was filed and later it has been taken on file in C.C.No.229 of 2013. After full fledged trial, the Judicial Magistrate No.I, Poonamallee by judgment dated 19.01.2021 acquitted the petitioner. Against which, the defacto complainant preferred an appeal in CA.No.46 of 2021 before the Sessions Judge, Poonamalle. The II Additional District Judge and Sessions Judge, Poonamallee by judgment dated 10.07.2023 dismissed the appeal confirming the acquittal of the petitioner passed by the Trial Court.

3. The contention of the learned counsel for the petitioner is that the petitioner has deposited Rs.50,00,000/- by way of a fixed deposit as it was one of the conditions of the bail. It is not a case property and it has not been referred or



marked as a document during the trial. Now, the case has been ended in acquittal and it was also confirmed by the Sessions Judge. Subsequently, the petitioner filed return of the Fixed Deposit (FD) amount along with interest before the Judicial Magistrate No.I, Poonamallee. However, it was informed that there is no FD receipt available with them. Thereafter, the petitioner approached the XI Metropolitan Magistrate, Saidapet, seeking return of the FD. The Magistrate had not entertained the petition, recording that the case records had been transferred to Judicial Magistrate No.I, Poonamallee. Thus, the petitioner is made to run from one Court to other to get back the amount deposited by him that too after getting the acquittal order.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner earlier approached this Court in Crl.MP.No.24448 of 2025 in Crl.O.P.No.23324 of 2012 seeking to return the fixed deposit along with interest and this Court by order dated 02.01.2026 had directed the Chief Judicial Magistrate, Tiruvallur to verify the same and pass suitable orders. Thereafter, the petitioner had approached the Chief Judicial Magistrate and on the direction of the Chief Judicial Magistrate, the petitioner had approached the Judicial Magistrate No.I, Poonamallee. Later, it was came to know that FD receipt is still retained by the XI Metropolitan Magistrate, Saidapet and therefore, the Judicial Magistrate No.I, Poonamallee sent a communication dated 16.04.2026. The learned Government Advocate (Crl. Side) fairly submitted that it is to be ascertained where the FD receipt is now available.

5. In view of the above submissions, this Court directs the XI Metropolitan Magistrate, Saidapet, Chennai to verify the records, ascertain the availability of FD receipt and report before this Court on or before 27.04.2026.

6. Post the matter on 27.04.2026''



2. The learned Additional Public Prosecutor appearing for the respondent police submitted that the Fixed Deposit Receipt has been identified and is presently in the custody of the learned XII Metropolitan Magistrate, Saidapet, Chennai.

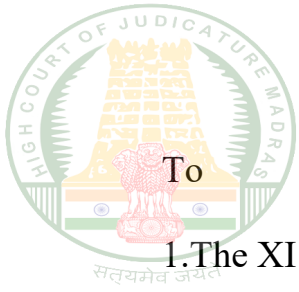
3. In view of the same, the learned XII Metropolitan Magistrate, Saidapet, Chennai, is directed to return the Fixed Deposit amount of Rs.50,00,000/- deposited with State Bank of India, Sriramnagar Branch, Saidapet, Chennai, in Term Deposit Account No.3261745789, along with accrued interest, if any, to the Petitioner.

With the above direction, this Criminal Original Petition is **disposed of**.
No costs.

24-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

JRS



To

1.The XI Metropolitan Magistrate, Saidapet, Chennai .

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2.The Inspector of Police
Central Crime Branch -EDF Wing,
Team-III, Egmore,
Chennai 600 008.
(Cr.No. 484/2012)

3.The Public Prosecutor,
High court of Madras.



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CRL OP No. 9647 of 2



M.NIRMAL KUMAR J.

JRS

CRL OP No. 9647 of 2026

24-04-2026