



WEB COPY

CRL OP No. 15834 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15834 of 2026

Shrivithya Vani
W/o. C.R.Muthukumar

..Petitioner(s)

Vs

State Represented by the Inspector of Police
CBCID, Coimbatore,
Sathy Road, Gandhipuram,
Coimbatore 641 012.
Crime No.1 of 2026

..Respondent(s)

To set aside the returned docket order dated 27.04.2026 in unnumbered Crl.MP.Sr.No.2560 of 2026 on the file the Chief Judicial Magistrate, Coimbatore and pass further and suitable orders that this Honble Court.

For Petitioner(s): Ms.S.Sukanya
for M/s.AMS Legal

For Respondent(s): Mr.A.Amarnath,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking to set aside the returned docket order dated 27.04.2026 made in the unnumbered Crl.MP.Sr.No.2560 of 2026 on the file the Chief Judicial Magistrate, Coimbatore.



WEB COPY

2. The learned counsel for the petitioner submitted that the petitioner, who is a third party to the proceedings in Crime No.1 of 2026 before the CBCID, Coimbatore, filed a petition seeking return of property. The properties were seized by the erstwhile Investigating Officer in Crime No.32 of 2025 and was subsequently handed over to the Jurisdictional Magistrate No.VII, Coimbatore, in P.R.No.5 of 2022.

3. The learned counsel for the petitioner further submitted that while a petition filed by the petitioner's husband seeking quashment of Crime No.32 of 2025, it came to the petitioner's knowledge that the said case has been transferred to the CBCID, Coimbatore and re-registered as Crime No.1 of 2026 with effect from 28.01.2026. Since the Chief Judicial Magistrate, Coimbatore exercises jurisdiction over CBCID cases, the petitioner presented an application before the said Court seeking return of the property. However, the petition was returned on 27.04.2026 with the endorsement that the property not been transferred from the Judicial Magistrate Court No.VII to the Chief Judicial Magistrate, hence the petition is returned.

4. The learned counsel further submitted that the petition could not have been returned solely on account of an administrative difficulty referring to transfer of records and property, without any adjudication on merits. It was



therefore prayed that a direction be issued to the Chief Judicial Magistrate to receive, number, and consider the petition on merits.

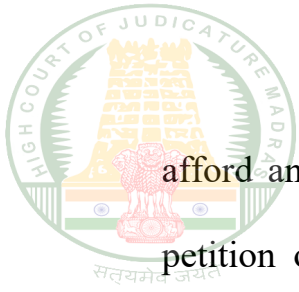
WEB COPY

5. Heard the learned counsels appearing on either side and perused the materials available on record.

6. It is seen that originally a case was registered in Crime No.32 of 2025 before the CCBI, Coimbatore on 22.11.2025. Thereafter, on the direction of the Director General of Police, the case has been transferred to the file of CBCID, Coimbatore and registered as Crime No.1 of 2026 on 28.01.2026. The Investigation Officer had submitted a request to the Judicial Magistrate, No.VII, on 02.02.2026 seeking transfer of the entire case records and the property in Crime No.32 of 2025 to the file of the Chief Judicial Magistrate. In such circumstance, the petition filed by the petitioner ought not to have been returned merely on the ground that the property had not been formally transferred.

7. Accordingly, the Judicial Magistrate No.VII, Coimbatore, is directed to forthwith transmit the entire case bundle together with the connected properties in Crime No.32 of 2025 to the file of the Chief Judicial Magistrate, Coimbatore.

8. Upon resubmission, the Chief Judicial Magistrate, Coimbatore shall receive the petition without raising objections regarding the transfer of property,

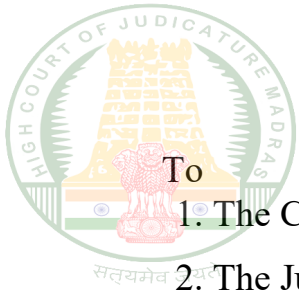


afford an opportunity of hearing to the parties concerned, and dispose of the petition on its own merits and in accordance with law, as expeditiously as possible and in any event, within a period of three weeks from the date of receipt of a copy of this order.

9. With the above directions, this Criminal Original Petition stands disposed of.

24-06-2026

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



To

1. The Chief Judicial Magistrate, Coimbatore

2. The Judicial Magistrate No.VII, Coimbatore

3. The Inspector of Police
CBCID, Coimbatore,
Sathy Road, Gandhipuram,
Coimbatore.
Crime No.1 of 2026

4. The Public Prosecutor,
High Court, Madras.

WEB COPY



WEB COPY

CRL OP No. 15834 of 2



M.NIRMAL KUMAR, J.

PVS

CRL OP No. 15834 of 2026

24-06-2026