



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 1437 of 2026

M/s. Bajaj Finance Limited,
Unit No.209/210, 2nd Foor,
Raheja Towers,
No.117,
Alpha Wing,
Beta Wing,
Anna Salai,
Chennai - 600 002.
Rep.by its Authorized Signatore,
V.Hari Krishnan

..Petitioner(s)

Vs

Inspector of Police,
K5, Anna Nagar Police Station,
Chennai - 40

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the impugned summon dated 19.06.2026 issued by the Respondent and quash the same and further direct the Respondent not to insist upon the petitioner Company to handover the possession of the golden articles which is alleged to be the subject matter of Crime and follow the due procedure of law as prescribed by the Honbl Supreme Court in the case of Sundar Bai Ambalal Desai vs State of Gujarat reported in (2002) 10 SCC 283 and pass such further or other orders.

For Petitioner(s): Mr.A.Damodaran

For Respondent(s): Mr.R.Ganesh Kumar
Counsel for Government



ORDER

This petition has been filed challenging the impugned summon dated 19.06.2016 issued by the respondent thereby calling upon the petitioner to handover the gold articles which were pledged by the accused.

2. The petitioner is a finance company engaged in lending money against the pledging of jewelry. On 28.04.2016, one Rajesh pledged gold jewelry with the petitioner and availed a loan to the tune Rs. 14,51,566/-. The pledged items comprised a necklace weighing 50.400 grams, a two-layer chain weighing 43.300 grams, a long necklace weighing 50.500 grams, and a design bangle weighing 18.200 grams, totaling 162.400 grams. Subsequently, the respondents issued a summon to the petitioner directing them to hand over the jewelry pledged by the accused for the purpose of investigation. The individual who pledged the jewelry is an accused in Crime No. 287 of 2026 for offences under the Bharatiya Nyaya Sanhita (BNS). The de facto complainant alleged that the accused worked at a jewelry shop where ornaments were received for repair. While conducting an internal audit in the repair section, it was discovered that the accused had stolen jewelry belonging to several customers: 50.537 grams belonging to Niranjan (dated 25.05.2026), 108.824 grams belonging to N.V. Haritha (dated 28.05.2026), 50.450 grams belonging to Prasanthi (dated 22.05.2026), 18.845 grams belonging to Punisha (dated 19.04.2026), 34.860

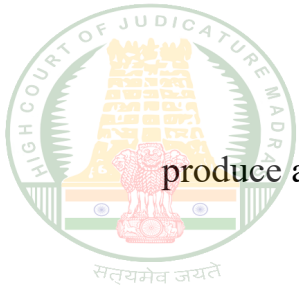


grams belonging to Ganeshiyan (dated 04.06.2026), and 32.730 grams belonging to Dimple (dated 21.12.2025), totalling 295.646 grams. Pursuant to

the registration of the FIR, the respondent recorded a confession statement from the accused, wherein he had admitted about the pledging of stolen jewelry with the petitioner. Consequently, the respondent directed the petitioner to surrender the jewelry for investigation.

3. The learned counsel for the petitioner submitted that, even according to the complaint, the jewelry went missing after the dates on which items were pledged with the petitioner. Furthermore, the complaint fails to provide a specific description of the stolen ornaments, mentioning only their weights. Conversely, the accused had pledged jewelry with the petitioner well before the alleged dates of theft. . The learned counsel further submitted that the petitioner is ready and willing to produce the jewelry before the trial court as and when directed.

4. In view of the above facts and circumstances, the petitioner is directed to produce the pledged jewelry before the trial court whenever the trial Court directs. In the meanwhile, the petitioner shall not permit the accused to redeem the jewelry, nor shall they alter its form in any manner. The petitioner is also directed to cooperate with the respondent's investigation by recording necessary statements. Upon receipt of a summons from the trial court, the petitioner shall



produce all the subject jewelry before it.

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5. With the above directions, this Writ Petition is disposed of. No costs.

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23-06-2026



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WP CrI. No. 1437 of 2



G.K.ILANTHIRAIYAN, J.

SMA

WP CrI. No. 1437 of 2026

23-06-2026



To

1. Inspector of Police,
K5, Anna Nagar Police Station,
Chennai – 40

2. The Public Prosecutor,
Madras High Court.

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