

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

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THE HON'BLE MR.JUSTICE SHAMIM AHMED

CRL RC Nos. 2019 & 2020 of 2025

CRL RC No. 2019 of 2025

Karthikraja. S

..Petitioner(s)

Vs

1.The State rep by
The Inspector of Police,
SCCIC, Cyber Crime Wing I Police Station,
Chennai District.

2.The Deputy Director,
Computer Forensic Division,
Forensic Science Department,
Chennai-600004

(R2 is suo-motu impleaded as per the order of this
court dated 23.02.2026 in Crl.RC.Nos.2019 and
2020 of 2025)

..Respondent(s)

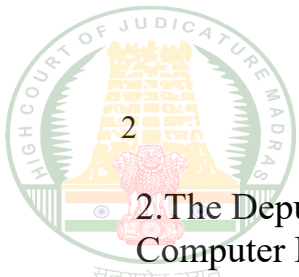
CRL RC No. 2020 of 2025

K.Shobana

..Petitioner(s)

Vs

1.The State rep by
The Inspector of Police,
SCCIC, Cyber Crime Wing I Police Station,
Chennai District.



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2.The Deputy Director,
Computer Forensic Division,
Forensic Science Department,
Chennai-600 004.

(R2 is suo-motu impleaded as per the order of this
court dated 23.02.2026 in Crl.RC.Nos.2019 and
2020 of 2025)

..Respondent(s)

PRAYER in Crl.R.C.No.2019 of 2025: This revision has been filed seeking to call for the records connected with the order dated 03.09.2025 in Crl.M.P.No.8124 of 2025 in Crime no.23 of 2025 on the file of the learned XI Metropolitan Magistrate at Saidapet and set aside the same as illegal.

PRAYER in Crl.R.C.No.2020 of 2025: This revision has been filed seeking to call for the records connected with the order dated 03.09.2025 in Crl.M.P.No.9308 of 2025 in Crime no.23 of 2025 on the file of the learned XI Metropolitan Magistrate at Saidapet and set aside the same as illegal.

For Petitioner(s): Mr.K.Rajendra Prasad

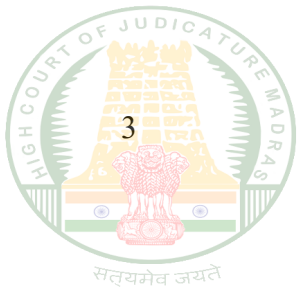
For Respondent(s): M.Dinesh, GA(Crl.Side)

COMMON ORDER

This Court, vide order dated 23.06.2026, passed the following order:-

“This Court, vide order dated 18.12.2025, passed the following order:

These petitions have been filed challenging the



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impugned orders rejecting the applications seeking return of the Laptop and Mobile Phones.

2.The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the Laptop and Mobile Phones have been sent to the Forensic Science Laboratory and that the report is awaited.

3.The respondent shall ensure that the report is obtained on or before 12.01.2026. Post the matter on 19.01.2026”.

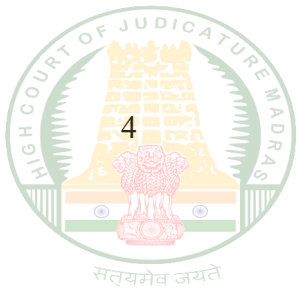
2. On 17.02.2026, when the matter was taken up for hearing, the order of this Court dated 18.12.2025, had not been complied with. Therefore, on 17.02.2026, this Court passed the following order:

“This Court, by order dated 18.12.2025, had specifically directed the respondent to ensure that the report of the Forensic Science Laboratory is obtained, as the Laptop and Mobile Phones of the petitioners had been seized in April 2025

2. However, it is seen that the respondent has not taken any action in this regard. Such inaction is in clear violation of the earlier direction issued by this Court. Hence, the respondent shall forthwith return the Laptop and Mobile Phones seized from the petitioners.

3. Post the matter on 23.02.2026”.

3. On 23.02.2026, when the matter was taken up for hearing, the orders of this Court dated 18.12.2025 and 17.02.2026 had again not been complied with. Therefore, on 23.02.2026, this Court passed the following order:



“On 18.12.2025, this Court had passed the following order:

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“These petitions have been filed challenging the impugned orders rejecting the applications seeking return of the Laptop and Mobile Phones.

2.The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the Laptop and Mobile Phones have been sent to the Forensic Science Laboratory and that the report is awaited.

3.The respondent shall ensure that the report is obtained on or before 12.01.2026. Post the matter on 19.01.2026.”

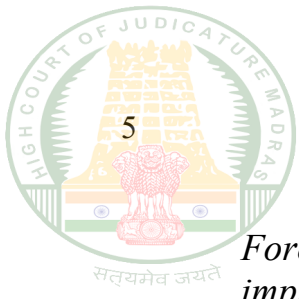
2. Since no action was taken to comply with the above direction, this Court on 17.02.2026 passed the following order:

“This Court, by order dated 18.12.2025, had specifically directed the respondent to ensure that the report of the Forensic Science Laboratory is obtained, as the Laptop and Mobile Phones of the petitioners had been seized in April 2025.

2. However, it is seen that the respondent have not taken any action in this regard. Such inaction is in clear violation of the earlier direction issued by this Court. Hence, the respondent shall forthwith return the Laptop and Mobile Phones seized from the petitioners.

3. Post the matter on 23.02.2026.”

3. Today, the learned Government Advocate (Crl Side) submitted that the Superintendent of Police, Cyber Crime Wing had addressed a letter on 18.02.2026 to the Deputy Director, Tamilnadu Forensic Science Laboratory, Chennai, the receipt of which was acknowledged on 18.02.2026 and stated that the report would be filed within a period of four weeks. However, there is no such assurance made by the said Deputy Director in writing.



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4. Hence, the Deputy Director, Computer Forensic Division, Forensic Science Department, Chennai 600 004 is suo moto impleaded as the second respondent in both the revisions.

5. The Deputy Director, Computer Forensic Division, Forensic Science Department, is directed to submit the report and return the material objects to the respondent / Inspector of Police within a period of three weeks from today.

6. At this stage a very strange request was made by a learned counsel seeking permission to appear for the Inspector of Police, SCCIC, Cyber Crime Wing I Police Station, Chennai, when the Public Prosecutor is supposed to represent her.

7. Apart from not complying with the earlier direction of this Court, the Inspector of Police chose not to instruct the Public Prosecutor. This conduct cannot be countenanced.

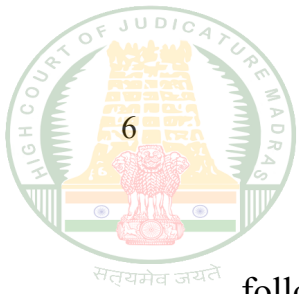
8. Hence, the Director General of Police, State of Tamil Nadu is directed to initiate appropriate action against the said Inspector of Police forthwith and report the action taken on or before 27.02.2026.

9. List the case on 27.02.2026.’’

4. Thereafter, on 27.02.2026, when the matter was taken up for hearing, this Court passed the following order:

‘‘Learned Government Advocate (Crl.Side) would submit, on instructions, that action has been taken against the Inspector of Police, SCCIC, Cyber Crime Wing I Police Station, Chennai District as directed by this Court by order dated 23.02.2026.

2. List the case for hearing on 23.03.2026’’.



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5. Thereafter, on 23.06.2026, this Court had passed the following orders;-

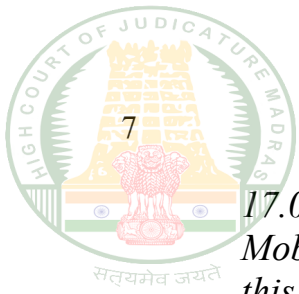
Today, when the matter is being taken up for hearing, Mr.M.Dinesh, learned Government Advocate(Crl.Side) appearing for the respondents has filed a status report of the first respondent, annexing the suspension order of the concerned Inspector of Police. In paragraph no.3 of the said status report, it has been stated that disciplinary action has been initiated as against Tmt.V.Indhumathi, Inspector of Police, and an enquiry under Section 3(b) of the Tamil Nadu Police Subordinate Services (Discipline & Appeal) Rules 1955, was initiated against her. Subsequently, she was placed under suspension as per Rule 3 (e) (1) (i) of the Tamil Nadu Sub-Ordinate Services (D& A) Rules, 1955, vide order dated 24.02.2026.

6. There is no whisper about the Laptop and the Mobile Phones of the petitioners, whether they have been obtained back by the Cyber Crime Wing Police or are they still lying with the Deputy Director, Computer Forensic Division, Forensic Science Department, Chennai.

7. Learned counsel for the petitioners submitted that in spite of a positive direction issued by this Court, vide order dated 17.02.2026, wherein this Court has specifically directed the Deputy Director, Computer Forensic Division, Forensic Science Department, Chennai, to forthwith return the Laptops and Mobile Phones seized from the petitioners to the petitioners, till-date, the same have not been returned to the petitioners. Thus, the learned counsel submitted that the respondents have committed contempt of Court, by non-complying the order of this dated 17.02.2026.

*8. I have perused the orders passed by this Court dated 18.12.2025, 17.02.2026, 23.02.2026 & 27.02.2026. As per the mandate of the Hon'ble Supreme Court in the case of ,**Sundarbhai Ambabai Vs. the State of Gujarat**, reported in (2002) 10 SCC 283, any items seized by the Police cannot be kept in open yard or in their possession lest damage to the same with the paucity of time and the same be returned to the petitioner with conditions imposed as may be deemed fit by the Court.*

9. There is a specific direction of this Court vide order dated



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17.02.2026 to return the aforesaid seized items, namely, Laptops and Mobile Phones to the petitioners. In spite of the aforesaid orders of this Court, the same have not been returned to the petitioners.

10. Thus, it appears that the respondents have not complied the orders passed by this Court deliberately and willfully.

11. The Deputy Director, Computer Forensic Division, Forensic Science Department, Chennai, is directed to be present before this Court on 24.06.2026, at 10.30 A.m.

12. The in-charge Inspector of Police of Cyber Crime Wing -I Police Station, Chennai shall also be present on 24.06.2026 at 10.30 A.m. before this Court.

13. Let a copy of this order be given to Mr.M.Dinesh, learned Government Advocate (Crl.Side) for compliance.

14. Put up this case on 24.06.2026, under the caption ‘for orders’.

6. Today, Mr.Vijay, the Deputy Director, Computer Forensic Division, Forensic Science Department, Chennai along with Ms.R.Malathy, Inspector of Police of Cyber Crime Wing -I Police Station, Chennai are present before this Court.

7. The Deputy Director, Computer Forensic Division, Forensic Science Department, Chennai submitted that after the report, the seized items, viz., the Mobile Phone of the first petitioner i.e, I-Phone -15, light Blue colour and OnePlus Blue colour Mobile Phone of the second petitioner and Dell Laptop Model No.P1373601 of the first petitioner were produced before the learned XI Metropolitan Magistrate / XI Judicial Magistrate Court, Saidapet, Chennai on 09.03.2026. He further submitted that in the report submitted by him in respect of the above three seized items, nothing has been



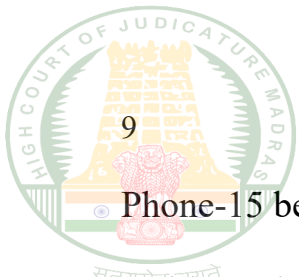
found against the petitioners.

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8. Mr.M.Dinesh, learned Government Advocate (Crl.Side) submitted that as the seized items, namely, I-Phone and OnePlus Mobile Phone and Dell laptop are now with the concerned Magistrate Court and a suitable direction may be given to the concerned Magistrate to return the property to the petitioners.

9. I have perused the report submitted by the Deputy Director, Computer Forensic Division, Forensic Science Department, Chennai as well as the statement given by the Inspector of Police of Cyber Crime Wing -I Police Station, Chennai. From the perusal of the report of the Deputy Director, Computer Forensic Division, Forensic Science Department, Chennai, this Court does not find anything against the petitioners as regards the above mentioned three items. In the light of the judgment passed by the Hon'ble Supreme Court in the case of "***Sundarbhai Ambabai Vs. the State of Gujarat***" (cited supra), no useful purpose would be served in keeping the seized items with the police lest damage to the same with the paucity of time and further, on perusal of the Forensic Department report, nothing has been found against the petitioners.

10. In view of the above, this Court directs the XI Metropolitan Magistrate/XI Judicial Magistrate Court, Saidapet, Chennai to release the seized items, namely I-



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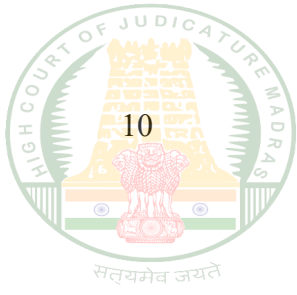
Phone-15 bearing Model No.83090 and Dell Laptop bearing Model No. P1373601 to the petitioner in CrI.RC.No.2019 of 2025 and OnePlus Blue colour Mobilie Phone bearing Model No.CPS2381 to the Petitioner in CrI.RC.No.2020 of 2025, within a period of two weeks from the date of receipt of a certified copy of this order. The petitioners are directed to furnish a Bank guarantee for a sum of Rs.15,000/- each and also comply with other conditions if any.

11. The personal appearance of the respondents is dispensed with, till further orders of this Court.

8. Accordingly, these criminal revision cases are allowed and the impugned orders dated 03.09.2025 passed in CrI.M.P.Nos.8124 & 9308 of 2025 by the learned XI Metropolitan Magistrate / XI Judicial Magistrate Court at Saidapet, Chennai are hereby **set aside**. No costs.

24-06-2026

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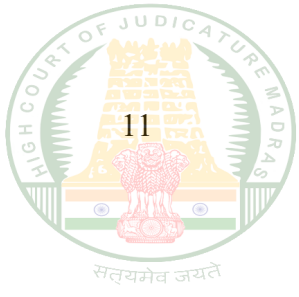
To

1. The Inspector of Police,
SCCIC, Cyber Crime Wing I Police Station,
Chennai District.

2. The Deputy Director,
Computer Forensic Division,
Forensic Science Department,
Chennai-600004

3. The Public Prosecutor,
High Court of Madras.

4. XI Metropolitan Magistrate/XI Judicial Magistrate Court,
Saidapet, Chennai



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SHAMIM AHMED J.

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CRL RC Nos. 2019 & 2020 OF 2025

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