



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-01-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 35053 of 2025

V.Malarvannan @ Ashwin Kumar

..Petitioner

Vs

State rep by
The Inspector of Police,
K-8 Arumbakkam Police Station,
Chennai-600 106.
(Cr.No.637 of 2009)

..Respondent

Criminal Original Petition filed under Section 528 of BNSS, 2023, to direct the learned V Metropolitan Magistrate, Egmore, Chennai, to take the petition on file/assign number to the Petitioner's Criminal Miscellaneous Petition filed under Section 497 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in Crime No.637 of 2009 for return of the seized cash of Rs.33.000/- (Rupees Thirty-Three Thousand only), and thereafter dispose of the same on merits in accordance with law within a time-bound period as this Hon'ble Court may deem fit and pass such further or other orders.

For Petitioner	:	Ms.M.Yogaa
For Respondent	:	Mr.S.Santhosh, Government Advocate (Criminal Side)



ORDER

The present criminal original petition is filed to direct the learned V Metropolitan Magistrate, Egmore, Chennai, to take the petition on file and assign number to the petitioner's Criminal Miscellaneous Petition filed under Section 497 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in Crime No.637 of 2009 for return of the seized cash of Rs.33,000/- (Rupees Thirty-Three Thousand only), and thereafter, dispose of the same on merits and in accordance with law within the stipulated time.

2. It is the case of the petitioner that he is an accused in Crime No.637 of 2009, registered for the offences under Section 420 of IPC r/w. Sections 4 and 5 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978. During the investigation, a sum of Rs.33,000/- (Rupees Thirty-Three thousand only) was seized from him. Therefore, he filed an application seeking return of cash in SR No.6718 on 06.10.2025 and the same was returned on 06.10.2025. However, the petitioner re-presented the same on 08.10.2025. It is the grievance of the petitioner that though the petition was re-presented on 08.10.2025, so far, it has not been numbered by the learned V Metropolitan Magistrate, Egmore, Chennai. Therefore, the present criminal original petition is filed.



3. The learned Government Advocate (Criminal Side), appearing for the respondent, submitted that though the petitioner claims that he has re-presented the petition on 08.10.2025, there is no proof for the same.

4. Heard both sides and perused the materials available on record.

5. Taking into consideration the fact that the petitioner is said to have re-presented the petition on 08.10.2025, the learned V Metropolitan Magistrate, Egmore, Chennai, is directed to verify as to whether the petition was re-presented on 08.10.2025. If it is re-presented on 08.10.2025, the learned V Metropolitan Magistrate, Egmore, Chennai, shall number the same, if it is otherwise in order.

6. Accordingly, this Criminal Original Petition stands disposed of.

06-01-2026

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

SRM



WEB COPY

CRL OP No. 35053 of 2



A.D.JAGADISH CHANDIRA, J.

SRM

To:

1. The V Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
K-8 Arumbakkam Police Station,
Chennai-600 106.
3. The Public Prosecutor,
Madras High Court.

CRL OP No. 35053 of 2025

06-01-2026