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Crl.M.P.No.24448 of 2025 in Crl.O.P.No.23324 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2026

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THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.M.P.No.24448 of 2025
in Crl.O.P.No.23324 of 2012

V.M. Jothimani

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
Central Crime Branch – EDF Wing,
Team-III, Egmore,
Chennai – 600008.
(Crime No.484 of 2012)

... Respondent

Prayer: This Criminal Miscellaneous petition is filed under Section 528 of BNSS to direct the learned Judicial Magistrate No.I, Poonamallee to return the amount of Rs.50,00,000/- (Rupees Fifty Lakhs Only) along with accrued interest, deposited by the petitioner herein, vide Term Deposit Advice in Scheme No.STD-GENPUB-OTH-5Y-10Y-INR vide A/c No.32617457879 dated 22.10.2012 in Crime No.484 of 2012 on the file of the respondent police issued by State Bank of India, Saidapet Branch in pursuant to the condition imposed in order dated 03.10.2012 passed in Crl.O.P.No.23324 of 2012, while complying anticipatory bail condition imposed by this Court.

For Petitioner : Mr. K. R. Ramesh Kumar

For Respondent : M/s. J.R. Archana
Government Advocate (Crl. Side)

ORDER



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This petition has been filed to direct the learned Judicial Magistrate

No.I, Poonamallee to return the amount of Rs.50,00,000/- (Rupees Fifty Lakhs Only) along with accrued interest, deposited by the petitioner herein, vide Term Deposit Advice in Scheme No.STD-GENPUB-OTH-5Y-10Y-INR vide A/c No.32617457879 dated 22.10.2012 in Crime No.484 of 2012 on the file of the respondent police issued by State Bank of India, Saidapet Branch in pursuant to the condition imposed in order dated 03.10.2012 passed in Crl.O.P.No.23324 of 2012, while complying anticipatory bail condition imposed by this Court.

2. The learned counsel appearing for the petitioner submitted that the petitioner herein approached this Court seeking anticipatory bail in Crl.O.P.No.23324 of 2012 and the same was granted by this Court, vide order dated 03.10.2012 with one of the conditions that, the petitioner shall deposit a sum of Rs.50,00,000/- to the credit of Cr.No.484 of 2012 before the learned XI Metropolitan Magistrate, Saidapet, Chennai; that accordingly, the petitioner herein deposited a sum of Rs.50,00,000/- with the State Bank of India, Saidapet Branch No.4, Southern Avenue, Shri Nagar Colony, Saidapet, Chennai -600015 and the bank had issued Term Deposit Advice in Scheme No.STD-GENPUB-OTH-5Y-10Y-INR, vide A/c No.32617457879 dated 22.10.2012; that the petitioner had further deposited the same to the credit of Crime No.484 of 2012, Central Crime Branch on the file of learned XI Metropolitan Magistrate,



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Saidapet, Chennai. He further submitted that the respondent had subsequently filed final report before the learned Judicial Magistrate -I, Poonamalle in C.C.No.229 of 2013 and on conclusion of the trial, the petitioner and other accused in this case were acquitted from the said charges, vide order dated 19.01.2021; that thereafter, the defacto complainant had preferred an appeal in Crl.A.No.46 of 2021 and the same was dismissed by the learned II Additional District & Sessions Court, Thiruvallur at Poonamalle, vide order dated 10.07.2023 by confirming the judgment of the Trial Court; that subsequent to the judgment made in Crl.A.No.46 of 2021, the petitioner had filed a petition in Crl.M.P.No.6006 of 2023 before the learned Judicial Magistrate No.I, Poonamallee for returning of the aforesaid deposited amount of Rs.50,00,000/- made by the petitioner to the credit of Crime No.484 of 2012, but the petition was returned on 08.09.2023 for the reason that, the amount has not been deposited in the said Court; that thereafter, the petitioner had approached the learned XI Metropolitan Magistrate, Saidapet, where the amount was originally deposited, but the said Court refused to receive the petition stating that, all the documents have already been transferred to the Trial Court in Poonamallee, therefore the petitioner is unable to get back the amount deposited by him, as per the direction of this Court while granting anticipatory bail, hence filed this petition.



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3. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

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