

IN THE COURT OF JUDICIAL MAGISTRATE NO.II CHENGALPATTU

Present: Tmt.S. Sahaana, M.A. M.L. MA.,

Judicial Magistrate No.II, Chengalpattu

CrI.M.P. No.955 of 2026

Wednesday, the 17th day of June 2026.

Divya, aged about 32 years,
D/o.Dhandapani
No.195, EVR Periyar Street,
Vadanemmeli Village,
Thiruporur Taluk,
Chengalpattu District.

.... Petitioner

.. Vs ..

1. Inspector of Police,
CCB Tambaram.

....Respondent/Complainant

This Petition is filed u/s. 507 BNSS and coming before me on 17.06.2026 for final hearing in the presence of M/s. K. Elumalai, N.A. Sheik Alaudeen, Learned Advocate for the Petitioner and Assistant Public Prosecutor Grade-II for the Complainant / Respondent and on perusal of the Petition and other connected records and have been stood over for consideration till this day this court made the following-

ORDER

1. The property Application is filed under Section 497 and Section 503 of BNSS.

2. Brief averment of the Petition filed by the Petitioner is as follows:

The Petitioner herein is the owner of the properties namely

S.No.	Document No.	FIR No. 522/2023	Property owner & Place	SRO
1	10751/2016	Sl.No.3	Divya, D/o. Dhandapani	Thiruporur SRO

Documents which was seized by the Respondent Police. The Petitioner is not named in FIR, nothing incriminating has been discovered as against the Petitioner, the some of the seized properties were used for Petitioner's personal use, some of the documents are of professional and privileged communications. Hence, the Petitioner filed this Petition seeking the relief to direct the Respondent to produce the seized properties and to return the same to the Petitioner as interim custody.

3. Brief averment of the Reply by the Police / Prosecution:

The Seized properties were seized from the Petitioner's place. At this stage of investigation, the ownership of the seized properties cannot be verified. If the case properties is returned, the petitioner may alienate/dispose the same and the prosecution can not prove the case during trial. Hence this petition may be dismissed.

4. Point for determination:

Whether this Application can be allowed or not?

5. Discussion:

Heard. Records perused. On perusal of records, it reveals that the Petitioner has filed a Petition u/s 497 and 503 of BNSS seeking the relief to produce the seized properties and request to hand over the properties to the Petitioner as Interim Custody.

6. On perusal of records, further, it reveals that the Respondent Police registered an FIR in Cr. No. 18 of 2025, offences u/s.406, 409, 420, 466, 467, 468, 471, r/w 109, 120(B), 506(2) of IPC and the properties also seized and produced before this Court. Further, it reveals that the alleged cheated amount involved in this case are huge sum of amount and the alleged seized properties were seized during the course of investigation. Further, it reveals that the alleged seized properties were allegedly either used for the commission of alleged offence or from the commission of the alleged offence. Further, it reveals that the ownership of the alleged properties can be determined after letting in Oral evidence and as well as documentary evidence, during the course of trial. Since, the offence is grave in nature and sensational in nature and the investigation is in preliminary stage, if the seized properties are returned to the petitioner, the petitioner may alienate/dispose the same and may involve in same and similar kind of offence and it may disrupt to proceed with proper investigation. Hence, on considering above and in the interest of justice, this petition is dismissed.

7. In the result, this Petition is dismissed.

Dictated to the Typist, directly typed by her, corrected and pronounced by me on this 17th day of June 2026.

Judicial Magistrate No.II,
Chengalpattu.