

IN THE COURT OF THE JUDICIAL MAGISTRATE, MELUR

Present: Selvi.D.Thendraal Muthu, L.L.M.,

Judicial Magistrate, Melur.

Dated this the 12th day of March 2026, Thursday

CrI.M.P.No.301/2026

in

Cr.No.7/2026

Ganesan,
S/o.Sonaimuthu

...Petitioner/Owner of the property

/Vs/

State through the Sub Inspector of Police,
Keelavalavu P.S. in Cr.No.7/2026
U/s.303(2) BNS

... Respondent/Complainant

RPR.No.22/2026

This petition coming on 12.03.2026 for final hearing before me in the presence of Thiru.O.K.Megavarnan, learned counsel for Petitioner and the Learned APP for the Respondent/Complainant and upon perusal of the records, this court delivers the following.

ORDER

1. This is an application for the interim custody of subject Goat-1 filed.
2. The Learned counsel for the petitioner/Owner of the property submitted that the subject Goat-1 is belonging to the petitioner. The above said subject is very necessary to the petitioner and it may loss its own value, he prays for return of the recovered property.
3. The respondent submit that if the petition is allowed, the petitioner may sell the alleged subject property and may not produce the property during trial. Hence the prosecution strongly opposed to allow this petition.

4. On perusal of records it could be seen that the above said Goat-1 has been produced by the police before this court and remanded in RPR.No.22/2026. The reply given by the respondent side is also considered and there is no rival claim with respect to the subject property. On considering the judgment of the Hon'ble Supreme Court in ***Sundarbhai Ambalal Desai Vs state of Gujarat***, this court is inclined to allow the petition on the following conditions.

- * The petitioner shall execute a bond for sum of Rs.10,000/- on his own with one surety for a sum of Rs.10,000/-.
- * The petitioner Shall take the photo of the Goat-1 and produce the photo copy with C.D signed by I.O and produce the same before this court along with Certificate U/s.63(4)(C) of BSA.
- * Panchanama of the Goat-1 to be prepared.
- * The petitioner shall make an undertaking that he shall produce the said property from the interim custody when the court calls for it.

5. Accordingly, this petition is allowed and interim custody is granted to the present petitioner.

Dictated by me to the Steno-typist and typed by her in computer directly and corrected and pronounced by me in open court on this 12th day of March 2026.

Judicial Magistrate,
Melur.