

IN THE COURT OF THE JUDICIAL MAGISTRATE , KUMARAPALAYAM

**Present : Tmt.A.K.Padmapriya, B.Sc, M.L.,
Judicial Magistrate,
Kumarapalayam**

Friday, the 29th day of May – 2026

CMP.No.251/2026

IN

Cr.No.431/2025, Pallipalayam Police station

Raja
S/o.Vairamuthu,

.... Petitioner / Vehicle Owner

//Vs//

The Sub Inspector of Police,
Pallipalayam P.S
Cr.No.431/2025

.... Respondent / Complainant

ORDER

1. The Petitioner had filed the petition U/s.497 of BNSS to handed over the property of **Apple I Phone 15 IMEI NO. 35975754422979858** received in **C.P.No.67/2026** to the petitioner as interim custody stating that, belongs to him and was seized by the police in **Cr.No.431/2025** u/s.132, 296(b), 351(2) of BNS. Further, the petitioner has stated that, if the property is in the custody of the court the same would become idle and the propety might be rusted which would cause loss and hardship to the petitioner. Further stated that the petitioner is ready to abide by any condition that may be imposed by this court.

2) Notice was issued to Prosecution and the Prosecution has also replied for the same.

3) Therefore as per the guidelines issued by the Hon'ble Supreme Court of India in Sundarbhai Ambalal Desai Vs. state of Gujarat reported in 2003(I)C.T.C. Page 175 this

Court is inclined to allow the petition. Taking into consideration the facts and circumstances of the case and also the guidelines issued in the above said case, the Court is of the opinion that it would be just and proper to handover the above said property to the Petitioner under interim custody and the Petitioner shall hold the said property in the interim custody only as a bailee or trustee.

4) In the result, the case property Apple I Phone 15 **IMEI NO. 35975754422979858** received in Cr.No.431/2025 is directed to be handed over to the petitioner herein under interim custody subject to the following conditions:-

i) He shall not sell or pledge the jewels in any manner whatsoever.

ii) He shall produce the same as and when required by this court. He shall pay all statutory dues pertaining to the said property as and when arises.

iii) He shall execute own bond for a sum of Rs.1,50,000/-.

iv) He shall cause a photograph of the Jewel has to be taken in colour and three prints of the same in the Court (one print to court, one to C.D. File and one to the petitioner). On the reverse side of the photograph an endorsement shall be made to the effect that she will not dispute the identity of property in the photograph as the time of trial.

v) The Head-Clerk of this Court shall attest the photograph to the effect that the image in the photograph is the property given as interim custody to the Petitioner.

vi) The petitioner is directed to produce the property as and when ordered to be produced by this court.

Directly dictated to Typist, typed by her in the Computer and corrected by me and pronounced in open court on 29th day of May 2026.

/ Sd /- A.K. Padmapriya
Judicial Magistrate,
Komarapalayam.