



**IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
PUDUKKOTTAI.**

PRESENT : Thiru. K.Poorana Jeya Anand, M.A., M.L.,
Principal Sessions Judge, Pudukkottai.

Thursday, the 02nd day of April, 2026.
(Thiruvalluvarandu 2057 Sri Visuvavasuv Varudam Panguni Thingal 19th day)

Cr.R.P.No.43/2025
(CNR No.TNPD01 0055972025)

Mathi, aged 41/2025 years,
S/o.Raj,
No.18, Kanniyammal Nagar,
South Manogipatti,
Thanjavur District.

Revision Petitioner/ Accused No.I

...

versus

1. Krishnamoorthy,
S/o.Hariharan

...

Respondent/Defacto Complainant

2. State represented by
Inspector of Police,
Thirugokarnam Police Station,
Crime No.167/2024.

...

Respondent / Complainant

This Criminal Revision Petition has come up for final hearing before me on 10.02.2026 in the presence of Mr.A.Nagendran, Learned Advocate appearing for the revision petitioner and of Mr.M.Kulam Nabi Azath, Learned Advocate appearing for the 1st respondent and of Mr.B.Venkatesan, Learned Public Prosecutor appearing for the 2nd respondent and upon hearing the arguments put forth on both sides and upon perusing the available records and having stood over for consideration till this day, this court passed the following...



ORDER

1) This Criminal Revision Petition has been filed by the Revision Petitioner u/s 438 and 440 of Bharatiya Nagarik Suraksha Sanhita (BNSS) – 2023, against the order passed by the Learned Judicial Magistrate No.II, Pudukkottai on 12.03.2025 in Cr.M.P.No.763/2024.

2) **The facts necessary for disposal of this Criminal Revision Petition are as follows:-** The revision petitioner has filed a petition in Cr.M.P.No.763/2024 before the trial court u/s 497 & 503 of BNSS, for interim custody of the jewels namely 8 1/2 sovereign of jewels (தோடு ஜிமிக்கி -1 ஜோடி, வெள்ளை முத்து மணி ஜிமிக்கி -1 ஜோடி, சின்ன ஜிமிக்கி கம்மல் -1 ஜோடி, பெரிய தோடு கம்மல் - 1 ஜோடி, அறுந்து போன செயின், அறுந்து போன சுத்து மாட்டர் - 1 ஜோடி, பட்டை வளையல் -1, மூன்று மோதிரம் (ஒரு மோதிரத்துல ஸ்டார், ஒரு மோதிரத்தில் "P", சின்ன மோதிரம்), Smart cell phone -2, காமாட்சி அம்மன் விளக்கு, வெள்ளி பிரேஸ்லட்), which are alleged to have been seized by the 2nd respondent in a case registered in Cr.No.167/2024 under section 454, 457, 380 of IPC. After full enquiry, the Learned Judicial Magistrate No.II, Pudukkottai has dismissed the petition. Aggrieved over the said dismissal order, the revision petitioner has preferred this Criminal Revision Petition.

3) The revision petitioner has stated in the revision petition that he is working in Ganapathi Indian Gas company at Velacherry for the past 30 years. On



06.09.2024 at about 12.30 p.m., the Pudukkottai police -8 persons came to Chennai and trespassed the house the revision petitioner and the gold jewels belonging to him has been seized by the 2nd respondent and is currently in the custody of the police station. As he requires the jewels for his personal use. The petitioner further submits that if the court orders the return of the jewels, he will not alter, sell or pledge them and he is ready and abide by any conditions imposed by the court and provide necessary sureties. Therefore, it is prayed to revise the order of the court below and order for interim custody of gold jewels to the revision petitioner pending disposal of the case.

4) On the other hand, the Learned Public Prosecutor submitted that the Learned Judicial Magistrate No.II, Pudukkottai has passed a just and reasonable order which need not to be revised in this revision petition.

5) **Point for determination in this Criminal Revision Petition is**

Whether this Criminal Revision Petition is to be allowed or not?

Point:

6) The submissions put forth on both sides are taken into consideration and perused the records. As per FIR, a case has been registered by the 2nd respondent in Cr.No.167/2024 u/s 454, 457, 380 of IPC for the commission of theft.



7) It is further revealed from the FIR that the petition mentioned offending jewels have been seized by the 2nd respondent and the accused has been remanded into judicial custody. It is further revealed from the trial court order it shows that the jewels seized by the 2nd respondent are the jewels of the 1st respondent.

8) On perusal of the order copy in Cr.M.P. No.763/2024 dated 12.03.2025 of the Judicial Magistrate No.II, Pudukkottai, it came to know that the above petition was dismissed on the ground that as per the prosecution case the jewels belonged to the 1st respondent .

9) As per records and submissions put forth on either sides and the order of the Learned Judicial Magistrate No.II, Pudukkottai it is revealed that the petition mentioned offending jewels are still in the custody of the learned Judicial Magistrate No.II court,Pudukkottai in R.P.No.11/2025. and the same was belonged to the 1st respondent. There is no evidence to show that, the jewels are belonged to the Revision Petitioner/Accused. There is no documents produced by the revision petitioner to show the revision petitioner is the owner of the properties.

10) For the foregoing reasons and discussions and considering the fact and circumstances of this case, this court is not inclined to allow this petition and thus, this point is answered accordingly.



11) In the result, this Criminal Revision Petition is dismissed and the order passed by the Learned Judicial Magistrate No.II, Pudukkottai in Cr.M.P.No.763/2024 dated 12.03.2025 is hereby confirmed.

This order is directly dictated to Executive Assistant of this court, typed by her in computer, corrected then and there and pronounced by me in open court, this the 02nd day of April, 2026.

PRINCIPAL SESSIONS JUDGE,
PUDUKKOTTAI.

Copy to: The Judicial Magistrate No.II, Pudukkottai.

Copy to: The Inspector of Police, Thirugokarnam P.S,