

**IN THE COURT OF THE JUDICIAL MAGISTRATE NO II,
RAMANATHAPURAM**

**Present: Thiru. S.B. Sujith, B.A.,B.L.,(HONS)
District Munsif cum Judicial Magistrate, Rameshwaram
Judicial Magistrate No II(FAC), Ramanathapuram
Monday the 16th day of March 2026
CIS Cr.M.P. No.251/2026
CNR.No. TNRM02-000746 -2026**

Thulhaj Banu,
W/o.Nagoor Meeran

..... Petitioner

Versus

State represented by the Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram.
Cr.No. 39/2026.

..... Respondent

For Petitioner : Tr. Arunkannan. Advocate
For Respondent : Tr.Elango. APP.

This petition taken on file on 05.03.2026 and coming up for final hearing on 16.03.2026. Upon hearing the arguments of both sides and upon perusal of the records and having stood over for consideration till this day, this court delivers the following.

ORDER

This is a petition filed by the petitioner under section 503 and 497 of the BNSS for interim custody of i) A small, circular gold ingot-52.890 gm, ii) A small, circular gold ingot-51.230 gm, iii) A ring with floral designs on both sides-7.30gm, iv) Gold ring-7.72gm and v) Money Rs.50,000/- which was seized by the respondent police.

1. The Learned Counsel for the petitioner had submitted that, the Petitioner is the Defacto complainant in Cr.No.39/2026, Kenikkarai Police Station and has lodged the complainant with the regard to theft of 18.5 pouns of Gold jewels and Money Rs.50,000/- in her house. Subsequently the respondent police has recovered around 119.14s grams of gold jewels from the accused persons. Further submits that petitioner is the owner of the gold jewels property which was seized by the police in pursuance of offence punishable under section 331(3), 305(a) BNS from the accused. The Property is essential for the petitioner and there is no counter claim from any third party. If the property is not handed over to the petitioner, it would cause undue hardship to her. The petitioner assured that she would not alter or sell the property and produce as and when ordered by this Court. The Petitioner is ready to abide any condition and willing to produce sufficient sureties. Therefore prayed to direct the respondent police to produce the property before this court and on such production the interim custody of the property may be handed over to her.
2. The Respondent Police has filed reply stating that, subject to conditions the property may be handed over to the petitioner.
3. Heard both sides. Records perused. On perusal of records, it is found that the petitioner is the defacto complainant in this case. Admittedly there is no claim from any third party. The Petitioner is the owner of the jewels and the ownership of the petitioner was also not disputed by the respondent police. The

property is remanded before this court in P.R.No.23/2026. If proper panchnama is prepared, that can be used as evidence during trial. Keeping the i) A small, circular gold ingot-52.890 gm, ii) A small, circular gold ingot-51.230 gm, iii) A ring with floral designs on both sides-7.30gm, iv) Gold ring-7.72gm and v) Money Rs.50,000/- in the custody of the court would serve no purpose.

4. Considering the facts and circumstances of this case, the fact that the respondent has not denied that the petitioner is the owner of the property, if the property is kept idle, the elegance of the gold jewels will diminish and in the interest of justice, this court is inclined to give interim custody of i) A small, circular gold ingot-52.890 gm, ii) A small, circular gold ingot-51.230 gm, iii) A ring with floral designs on both sides-7.30gm, iv) Gold ring-7.72gm and v) Money Rs.50,000/- to the Petitioner. Therefore the interim custody of the property is ordered to be given to the petitioner on the following conditions.

- i. The Petitioner shall execute bond for Rs.18,00,000/- with two sureties each for 9,00,000/- to the satisfaction of this court along with documents as to sufficiency of the sureties. The petitioner shall also file affidavit stating that she will produce the gold jewels in same design, form and weight in future if necessary.
- ii. The Petitioner should produce photograph of the each jewel duly signed by her for the purpose of marking during the trial.

- iii. The head clerk is directed to prepare panchanama for purpose of trial.

Dictated by me to typist and typed by him and corrected and pronounced by me on 16.03.2026.

**Judicial Magistrate No.II(FAC),
Ramanathapuram.**