

IN THE COURT OF THE JUDICIAL MAGISTRATE, PALLADAM

**Present: Tmt.S.Sapna, B.B.M.,L.L.M.,
Judicial Magistrate, Palladam,
Monday 09th day of March 2026
E-CRLMP.No. 119 of 2026
(CNR.No.TNTI11 000443 2026)**

Tamil Nadu Electricity Board,
Karadivavi Palladam Electricity Distribution Circle.
Rep by
Assistant Electrical Engineer,
Shanmugaraj.

.... Petitioner

//Vs//

State rep by Inspector of Police
Kamanaickenpalayam, Police Station,
Cr.No.07/2026
U/s.305(e) BNS

.... Respondent

Petition filed U/s 497 and 503 of BNSS Act to return the case property.

This petition is filed online on 03.03.2026 by petitioner counsel for the petitioner Thiru.S.Balan, and Learned APP filed objection for the Respondent and upon perusal of case records and on merits this court delivers the following.

ORDER

The petition is filed by the petitioner Under section 497 and 503 of B.N.S.S with prayer to return the case property Amount Rs.1,35,000/- seized in connection with Cr.No.07/2026 registered U/s.305(e) BNS of Kamanaickenpalayam,Police station.

2.The petitioner/accused would submit that the petitioner working as an Assistant Electrical Engineer in Palladam Electricity Distribution Circle Karadivavi of Tamilnadu Electricity Board. On 28.12.2025, I contacted Sundharaj Karadivavi in Palladam Circle. K. Ayyampalayam and complained about the power outage. Later when kamalakannan and his wento to check in person, he informed me that the transformer SS 17 63 / 11KV was in Top Cover Open and the switch was open, It was revealed that someone had stolen about 100-120 kg of copper winding and 195 liters of transformer oil installed in the transformer. In this regard. Further, the police have arrested the persons who stole the above items and since they did not have any items, the police have seized the money from the sale of the items amounting to Rs. 135000/-. Furthermore, since the above items are needed, I request the society to hand over the above items to me in court. Otherwise, The petition mentioned properties are handed over to me as interim custody. The petitioner will be put to very loss and hardship.

The petitioner undertake to produce the said properties whenever this Hon'ble court orders to produce the same.

3. The Learned APP filed reply by stating that if the property seized from the accused in this case is returned to the petitioner, the petitioner will not produce the money at the court hearing. Hence, the respondent filed objection.

4. Heard Both sides, Records perused. This court carefully perused the complaint, the case property of Amount Rs.1,35,000/- was seized in respondent police station. There is no dispute regarding the ownership of property. On considering the facts and circumstances of this case. Considering the petitioner is the ownership of the case property. Upon considering the Hon'ble Supreme court Verdicts guidelines held " In Re sundar Bai ambalal Vs. State this court is of view to handover the case property of Amount Rs.1,35,000/- as interim custody to the petitioner with following conditions.

i) The petitioner shall execute a personal bond for a sum of Rs.10,000/- to the satisfaction of this court.

ii) The petitioner shall submit the photographs of the property from four dimension and to be certified U/s 63 BSA.

iii) The petitioner shall execute the Panchanama in judicial Form No.82 in accordance with law.

iv) The petitioner should be identified by the petitioner counsel and the Investigation Officer.

Accordingly this petition is allowed.

Judicial Magistrate,
Palladam.