

IN THE COURT OF JUDICIAL MAGISTRATE, AVINASHI
PRESENT :Tmt. N.Keerthana, B.A.,L.L.M.,
Judicial Magistrate,
Avinashi.

On Thursday, the 2nd day of July 2026

E.C.M.P. No.687/2026
in
Cr. No.196/2026

Boominathan
S/o. Shangaiya

.... Petitioner/Owner of
the Property

/Vs/

The Inspector of Police,
Perumanallur Police Station,
Cr. No.196/2026
U/s. 3(1), 4(1), 5(1)(b) of ITP Act

.... Respondent/Complainant

This petition has come up on **02.07.2026** or final hearing before me
Thiru. V. Sajith, Advocate appearing for the petitioner and the Learned
Assistant Public Prosecutor appearing for the Respondent and upon perusal of
the records, this court delivers the following.

ORDER

The petitioner had filed this petition u/s 497 and 503 of BNSS for interim
custody of the property seized by Perumanallur Police Station, Cr.No.196/2026,
U/s. 3(1), 4(1), 5(1)(b) of ITP Act

2. Gist of the Petition :-

The petitioner had filed this petition under Section 497 and 503 of BNSS

seeking interim custody of **OPPO Phone F33 5G Mobile Phone** which was seized by Perumanallur Police in Cr.No.196/2026. Therefore, the petitioner is requesting interim custody of **OPPO Phone F33 5G Mobile Phone** for daily usages.

After hearing both sides and on perusal of records, it is clear that the petitioner seeks interim custody of **OPPO Phone F33 5G Mobile Phone** which was seized by the police from the accused. On perusal of complaint and FIR it reveals that the **OPPO Phone F33 5G Mobile Phone** was seized by the police from the accused. The petitioner who is the owner of **OPPO Phone F33 5G Mobile Phone** has claimed interim custody of the seized phone.

Considering the facts and circumstances of this case that the petitioner is the owner of the property and the guidelines provided by the Hon'ble Apex Court in "**Sunderbhai Ambalal Desai vs. State of Gujarat**," 2002 Supp (3) SCR 39, and in the interest of justice, this court is inclined to grant interim custody of the property to the petitioner under the following conditions:

1. The petitioner/Owner shall execute a own bond for a sum of Rs.**10,000/-**
2. The petitioner shall not modify or alter the property without prior approval from this court.
3. The petitioner shall provide three-angle photographs of the property mentioned in the petition, with compliance under Section 63 of BSA and execute a Panchanama.
4. The petitioner/Police and Head-Clerk of this Court shall prepare Panchanama in accordance with Criminal Rules of Practice, 2019.

5. The petitioner shall produce the property as and when directed by this court.

Dictated by me to the Steno-Typist, typed by him, corrected and pronounced by me in the open Court on the 2nd day of July 2026.

Judicial Magistrate,
Avinashi.