

IN THE COURT OF DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE
MADHAVARAM

Present: Tmt.P.Deepa, B.A.B.L.L.L.M.,
District Munsif Cum Judicial Magistrate, Madhavaram

Wednesday, the 05th day of August 2026

CRL.MP.No.345/2026

in

Cr.No.24/2026

M.Lingeshwaran, A/ 22 years,
S/o. Murugan,
No.43, Jeeva Main Street,
Kannadapalayanm, Puzhal,ss
Thiruvallur – 600 066.

....Petitioner

-Vs-

State Represented by
Inspector of Police,
W36 All Women Police Station Puzhal,
Chennai.
[Cr.No.24/2026]

....Respondent/Complainant

Offence U/S. 78(1)(i)(ii), 78(2), 351(3) BNS & 67A IT Act & 4 of TNPHW Act.
Petition: U/S. 497 r/w 503 of BNSS filed by the petitioner to grant interim custody of case property.

The petition filed U/S. 497 r/w 503 of BNSS came up before me today for final hearing in the presence of M/s. Ms.N.D.Sumathi, Mr.N.D.Vijaykumar, Mr.V.Narayanan, Mrs.R.Kavitha, Mr.V.Thirunavukkarasu Counsels for the petitioner. The Respondent Police raised objections. Upon perusing the entire records and submissions made by the rival parties and having stood over for consideration till this date, this Court passes the following:-

ORDER

The petition is filed U/S. 497 r/w 503 of BNSS praying for interim custody of the mobile phone One Plus Cellphone-1, வெளிர் பச்சை நிறம் involved in Cr.No.24/2026, U/s. 78(1)(i)(ii), 78(2), 351(3) BNS & 67A IT Act & 4 of TNPHW Act pending on the file of the respondent police.

1. THE CASE OF THE PETITIONER IS AS FOLLOWS:-

The petitioner is the owner of the case property. The case property viz., mobile

phone One Plus Cellphone-1 (IMEI 1: 862329082993734, IMEI 2: 862329082993726) Cr.No.24/2026. Further, it was also submitted by the petitioner that the property is placed without operation and long non-operation would cause technical defaults and diminish its value. Thereby, prayed for interim custody of the case property, pending disposal of the case.

3. REPLY & OBJECTIONS RAISED BY THE PROSECUTION:-

The respondent police filed the reply and submitted that the petitioner is the owner of the above mentioned mobile, the mobile phone is not involved in any other offences. However, the claim of the petitioner was objected by the respondent police.

4. POINT TO BE DETERMINED :-

Whether the petitioner is to be provided with an interim custody of the mobile phone viz., One Plus Cellphone-1 (IMEI 1: 862329082993734, IMEI 2: 862329082993726) pending disposal of the above case or not?.

5. DISCUSSION:-

The averments of the petition filed by the petitioner filed by the petitioner were perused carefully. The objection filed by the respondent police for the petition was also perused.

The seized property of mobile phone were in their custody, sent to forensic for investigation purpose by the respondent police. In this circumstances, this court not inclined to allow this petition.

Hence this petition is dismissed.

The Order was dictated to the Steno typist and was directly typed in the Computer. Verified, corrected and delivered by me in the Open Court on this Wednesday, the 05th day of August 2026.

**District Munsif Cum Judicial Magistrate,
Madhavaram**