



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 21531 of 2026

Anthony John Britto
S/o. Siluvaipichai,
No.2/3, Mariyapushpam S,
New Street, Asanur Post,
Ulundurpet,
Villupuram District.

..Petitioner(s)

Vs

The Inspector of Police
Edaikkal Police Station,
Kallakurichi District,
Crime No.231 of 2025

..Respondent(s)

Prayer: This Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order passed in Crl.R.P.No.08 of 2026 dated 30-3-2026 on the file of Hon'ble Principal District and Sessions Judge, Kallakurichi and subsequently give interim custody of the petitioners vehicle bearing registration NO. PY 01 BE 0280 (Pulsar Two Wheeler) pending of the above case and pass such further or other orders as this Hon'ble Court.

For Petitioner(s):

Mr.M.Arun Raja

For Respondent(s):

Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side)



WEB COPY



ORDER

The prayer in this Criminal Original Petition is to quash the order passed in Crl.R.P.No.08 of 2026, dated 30.03.2026, on the file of the learned Principal District and Sessions Judge, Kallakurichi.

2. A two-wheeler bearing Registration No. PY-01-BE-0280 is involved in Crime No.231 of 2025 on the file of the Station House Officer, Edaikkal Police Station, and the same was produced before the Court as C.P.No.154 of 2025. The second accused, claiming to be the owner of the vehicle, filed Crl.M.P.No.1741 of 2025 seeking interim custody of the vehicle. The said petition was dismissed on 06.11.2025. Aggrieved by the same, the petitioner preferred Crl.R.P.No.08 of 2026 before the learned Principal District and Sessions Judge, Kallakurichi.

3. The learned Principal District and Sessions Judge, upon finding that the vehicle stands in the name of one Amutha and not in the name of the petitioner / second accused, confirmed the order passed by the learned Magistrate and dismissed the Criminal Revision Petition.



4. The learned counsel for the petitioner would rely upon Form Nos.29 and 30, the receipts evidencing the sale, the delivery note, the insurance certificate and other documents relating to the transfer of the vehicle, in which the said Amutha has signed. It is submitted that the petitioner / second accused had already purchased the vehicle from the said Amutha and that only the transfer of ownership had not been effected in the records.

5. In view of the aforesaid position, this Court is of the view that the relief can be granted to the petitioner on the following terms:

(i) The petitioner shall, within a period of two weeks from the date of receipt of a web copy of this order, present the requisite statutory forms before the appropriate authority for transferring the name in the Registration Certificate and other relevant records.

(ii) If, for the said purpose, production of the vehicle is necessary, the respondent police shall take the vehicle and produce the same before the concerned authority at such time as may be required.

(iii) Thereafter, the concerned authority shall consider the request of the petitioner in accordance with the applicable rules and effect the transfer of ownership in accordance with law.



(iv) If the transfer of ownership is effected in the name of the petitioner / second accused, the learned Trial Court shall reconsider CrI.M.P.No.1741 of 2025 and pass appropriate orders afresh regarding the interim custody of the vehicle, on such conditions as it may deem fit and proper.

6. With the above directions, this Criminal Original Petition is disposed of.

06-08-2026

Neutral Citation: Yes/No

av

To

1. The learned Principal District and Sessions Judge,
Kallakurichi.
2. The Inspector of Police
Edaikkal Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court of Madras.



WEB COPY

CRL OP No. 21531 of 2



D.BHARATHA CHAKRAVARTHY, J.

av

CRL OP No. 21531 of 2026

06-08-2026