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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2026

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THE HON'BLE MR JUSTICE P. VELMURUGAN

**CRL MP No. 14959 of 2024
in Crl.RC No.1109 of 2022**

Tamilarasan

S/o. Mohan, Branch Receivable Manager,
M/s.Equitas Small Finance Bank Limited,
No.80/a, Senguttuvan Street, Karikalan Nagar,
Angapathur, Kancheepuram District.

..Petitioner(s)

Vs

1. The State of Tamil Nadu
By the Inspector Of Police,
Oragadam Police Station,
Kancheepuram.
(Cr.No.478 Of 2019)

2. G. Ramachandran
S/o.Govindasamy, No.395, Aringar Anna
Street, Mgr Nagar, Kadasangal Thundalkalai,
Padappai, Kancheepuram - 601 301.

..Respondent(s)

Criminal Miscellaneous Petition is filed under Section 482 of Code of Criminal Procedure to modify the order passed by this Court in Crl.R.C.No.1109 of 2022 dated 20.10.2022 as to the direction to the petitioner bank to not to dispose the vehicle till the disposal of the case and permit the petitioner to sell the Tata Vehicle LPT 3118 TC Cowl Bs II Tipper Lorry bearing registration No.TN 47 AH 2764 alleged to involve in the Criminal Case pending before the learned Judicial Magistrate, Sriperumbudur in CC.No.240 of 2022 for the alleged offence u/s.430, 379 of IPC r/w 21(1) of Mines and Minerals Development and regulation Act 1957.



For Petitioner(s):

Mr.A.Damodaran
for Ms.R.Meenakshi Devi

For Respondent(s):

Mr.M.Dinesh
Government Counsel (Crl.side) for R1**ORDER**

The petitioner has filed this petition seeking modification of the order passed by this Court in Crl.R.C.No.1109 of 2022 on 20.10.2022, insofar as this Court directed the petitioner Bank not to dispose of the vehicle till the disposal of the case, and to permit the petitioner to sell the Tata Vehicle LPT 3118 TC Cowl BS II Tipper Lorry bearing Registration No.TN 47 AH 2764, which is alleged to be involved in the criminal case pending before the learned Judicial Magistrate, Sriperumbudur, in C.C.No.240 of 2022 for the alleged offences under Sections 430 and 379 IPC read with Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957.

2. By order dated 20.10.2022, this Court passed the following order:

“ ... 4. Further it is brought to the notice of this Court that in the order dated 15.09.2022, the Magistrate was directed to release the vehicle by obtaining original RC book from the owner of the vehicle, whereas the vehicle has been hypothecated with the petitioner Bank and hence, the Principal District and Sessions



Judge, Kancheepuram District at Chengalpattu, is directed to release the vehicle to the petitioner Bank by obtaining original RC book along with the indemnified bond to the value of the vehicle and the petitioner Bank is directed not dispose the vehicle till the disposal of the case and they are also directed to produce the vehicle as and when it is required by the trial Court. All other observations made in the order dated 15.09.2022 shall remain intact.

5. The 1st respondent police is directed to file the charge sheet within two months from today and also file further action taken report against the Investigating Officer before this Court on 09.12.2022.”

3. When the matter is taken up today, the learned Government Counsel appearing for the first respondent submitted that a final report has been filed and the case has been taken on file as C.C.No.240 of 2022 by the learned Judicial Magistrate, Sriperumbudur.

4. At this juncture, it is relevant to note that the Division Bench of the Madurai Bench of this Court, in W.P.(MD)No.19936 of 2017, 7595 and 21485 of 2018 and W.M.P.(MD) No.7225 of 2018, issued several directions regarding the prosecution of offences under the Mines and Minerals (Development and Regulation) Act, 1957 and connected offences under Section 379 IPC. One of the directions reads as follows:



“(xiii) Whenever, a final report is filed for the offence under Section 379 IPC by the jurisdictional police before the jurisdictional Magistrate, the same shall also be committed to the Special Court. This is for the reason that it would be appropriate to deal with both the police case and the private complaint by the same Court and in order to avoid any possible conflict.”

Subsequently, the Government has also issued G.O.(Ms.)No.170, Industries (MMC.2) Department, dated 05.08.2020, implementing the aforesaid directions. Therefore, in view of the directions issued by the Division Bench, the learned Judicial Magistrate is required to commit the proceedings in C.C.No.240 of 2022 to the jurisdictional Designated Special Court, so that the police case may be dealt with by the same Court and any possible conflict of findings may be avoided. Since it is represented that C.C.No.240 of 2022 is pending before the learned Judicial Magistrate, Sriperumbudur, the petitioner is at liberty to file an application for modification before the learned Designated Special Court after such committal, and the same shall be considered in accordance with law, provided that the vehicle is not liable for confiscation.

5. In view of the above, the learned Judicial Magistrate, Sriperumbudur, is directed to take appropriate steps to commit C.C.No.240 of 2022 to the jurisdictional Designated Special Court, in terms of the directions issued by the Division Bench and G.O.(Ms.)No.170, Industries (MMC.1) Department, dated 05.08.2020, if the case has not already been committed. Upon such committal,



the learned Designated Special Court shall proceed with the case in accordance with law and dispose of the same as expeditiously as possible, preferably within a period of six months from the date of receipt of the records.

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

07-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To:

1. Judicial Magistrate, Sriperumbudur.
2. The Inspector Of Police,
Oragadam Police Station,
Kancheepuram.
3. Public Prosecutor, Madras High Court.



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CRL MP No. 14959 of 2



P.VELMURUGAN, J.

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CRL MP No. 14959 of 2024

07-08-2026