



Crl.R.C.(MD).No.573 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.02.2026

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

Crl.R.C.(MD).No.573 of 2022

Srikrishnan

... Petitioner

Vs.

1.The State through,
The Inspector of Police,
Rajakamangalam Police Station,
Kanyakumari District.
(Crime No.118 of 2018)

2.C.Ravindran

... Respondents

*(R-2 is impleaded vide order of this Court dated
28.07.2022 in Crl.R.C.(MD).No.573 of 2022)*

Prayer : Criminal Revision Petition filed under Section 397 read with 401 of Criminal Procedure Code, to call for the records and set aside the order dated 31.03.2022 made in Crl.M.P.No.2585 of 2022 on the file of the learned Judicial Magistrate No.1, Nagercoil at Kanyakumari and allow the above Criminal Revision Petition.

For Petitioner : Mr.B.Michael Sebastin

For R-1 : Mr.M.Karunanithi

Government Advocate (Crl. Side)

For R-2 : Mr.C.Cenil



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ORDER

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The present Criminal Revision Case is filed challenging the order dated 31.03.2022 in Crl.M.P.No.2585 of 2022 by the Judicial Magistrate No.1, Nagercoil, whereby, petition for return of vehicle bearing Reg. No.TN 61 9603 was rejected on finding that the engine number and chassis number were found to have been tampered. Relevant portion of impugned order is extracted hereunder:

“3) While so, the respondent police also had filed form 95 before this court in RP No.20/2022. When the property covered under the said form 95 is carefully considered,

“TN 61 9603 என்ற நம்பர் பலகை, ஸ்ரீ ஜயப்பன் ஜோதி என்ற பெயர் பலகை வைக்கப்பட்டு Engine number, Chassis number வழிக்கப்பட்டு அதன் கீழ் புதிதாக நம்பர் பொரிக்கப்பட்டு டாரஸ் லாரி (தற்போது உள்ள Engine No.SAH633403, Chassis No.MB1CMDWC8AHSB2372) “Hence, on a careful perusal of the same, it is seen that, the engine and chassis numbers of the said vehicle has been tampered with and the present numbers have been over written on it”

4) It is the specific complaint of the defacto complainant, that his vehicle has been stolen and engine and chassis numbers have been tampered. Hence, at this juncture, it is seen that, there is a specific allegation as to tamper of engine and chassis numbers and it is also evident from form 95, and hence, it cannot



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be said that, the petitioner is the real owner of the vehicle, now covered under said Form 95. Hence, in the interest of justice, this petition is to be dismissed.”

2. Before proceeding further, it may be relevant to note that petitioner had purchased vehicle bearing Reg.No.TN 61 9603 sometime in the year 2012 with the engine and chassis number as under:

"Engine No: SAH633403

Chassis No: MB1CMDWC8AHSB2372"

The second respondent claims to be the owner of vehicle bearing Registration No.TN 75 K 8418, which is stated to have been stolen sometime in the year 2018.

3. It is submitted by learned counsel for petitioner that there have been differences between petitioner and police authorities in his Village, which led to the seizure of his vehicle.

4. Per contra, learned Government Advocate (Crl. Side) appearing for respondent would submit that the Trial Court had found as a matter of fact that the engine number and chassis number have been tampered with. He would also place reliance upon the report of the Motor Vehicles Inspector, Regional



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Transport Office, Nagercoil, which would again indicate tampering of the engine and chassis, as could be seen from the following extract:

“பார்வையில் கண்ட இராஜாக்கமங்கலம் காவல் நிலைய காவல் ஆய்வாளர் அவர்களின் கடிதத்தில் தெரிவித்துள்ளபடி TN61-9603 பதிவெண் கொண்ட கனரக சரக்கு வாகனத்தை இராஜாக்கமங்கலம் காவல் நிலையத்தில் சென்று 20.01.2022 அன்று பிற்பகல் ஆய்வு செய்ததில் பொறிஎண்: TN61-9603 வாகனத்தில் பதிவுச்சான்றின்படி உள்ள அடிச்சட்ட எண்: MB1CMDWC8AHSB2372 இருந்தது. இதை ஆய்வு செய்த போது அடிச்சட்டம் மற்றும் இன்ஜின் பிளாக்கில் சட்டத்திற்குப் புறம்பாக எண்கள் வழிக்கப்பட்டு அதன்மீது TN61-9603 வாகனத்தின் பதிவுச்சான்றில் உள்ள அடிச்சட்ட மற்றும் பொறி எண் பொறிக்கப்பட்டிருந்தது.”

5. In that view of the matter, since the ownership of the vehicle is under doubt, this Court cannot find fault with the order of the Trial Court. It is also submitted that an FIR has been lodged at the instance of the second respondent in Crime No.181 of 2018, which culminated in C.C.No.453 of 2023 on the file of Judicial Magistrate No.1, Nagercoil at Kanyakumari. In view thereof, the Judicial Magistrate No.1, Nagercoil shall dispose of the said case in C.C.No. 453 of 2023 within a period of six months from the date of receipt of a copy of this order. All rights and contentions of the petitioner's right / interest and access over the vehicle will depend on the outcome of the trial in C.C.No.453 of 2023.



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6. With the above observations, this Criminal Revision Case is disposed of.

11.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm

To

- 1.The Judicial Magistrate No.1,
Nagercoil at Kanyakumari.
- 2.The Inspector of Police,
Rajakamangalam Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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MOHAMMED SHAFFIQ, J.

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