



WEB COPY



Crl.R.C.No.1619 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2024

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.1619 of 2024

Raj Boopalan

... Petitioner/Petitioner/Accused No.2

Vs.

The State rep. by
The Inspector of Police,
CCD – II, Police Station,
Villupuram District.
Crime No.40/2024.

...Respondent/Respondent/Complainant

PRAYER: Criminal Revision Petition filed under Section 438 r/w 442 of the BNSS, to call for the records in Crl.M.P.No.7191/2024 dated 10.09.2024 on the file of the Judicial Magistrate – I, Villupuram and setaside the same and consequently direct the respondent herein to grant the custody of the vehicle viz Mahindra XUV300 bearing Reg.No.PY-05-R-4254 which has been seized by the respondent in Crime No.40 of 2024.

For Petitioner : Mr.E.Senthil Kumar

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)



WEB COPY

ORDER

The petitioner, who is an accused in Crime No.40 of 2024 registered for the offences under Sections 419 and 420 of the IPC and 66 C of the Information Technology Act, aggrieved by the dismissal of his petition filed under 451 of Cr.P.C., for return of his car, viz., Mahindra XUV300 bearing Reg.No.PY-05-R-4254 has preferred the above revision.

2. The learned counsel for the petitioner/A2 would submit that the allegation in the complaint is that the petitioner, along with the other accused, had obtained SIM cards from various persons by deceiving them and sold the SIM cards to one Mr.Sathyamoorthy and that the SIM cards so sold to one Mr. Sathyamoorthy could be misused by him. The learned counsel would further submit that the petitioner is innocent and in any case, the seizure of his car is unwarranted as the car has nothing to do with the alleged offences against the petitioner; and that the petitioner would abide by any stringent conditions for the return of his car and prayed that the criminal revision may be allowed.



set aside. In view of the same, the respondent is directed to return the vehicle bearing Reg.No.PY-05-R-4254 to the petitioner on the following conditions:

(i) The petitioner shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate No.I, Villupuram;

(ii) The petitioner shall produce the original RC Book along with a self-attested Photostat copy of the RC Book of the vehicle and other relevant records to prove his ownership. The learned Judicial Magistrate No.I, Villupuram, shall peruse the RC book and other records, retain a xerox copy of the same and return the original RC book to the petitioner;

(iii) The petitioner shall not alter or alienate the vehicle in any manner;

(iv) The petitioner shall also give an undertaking that he will produce the vehicle as and when required by the respondent and by the court below.



CrI.R.C.No.1619 of 2024

(v) The return of property would be subject to the result of the confiscation proceedings, if any.

11.11.2024

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
dk

Note: Issue Order copy by 20.11.2024.

To
1.The Judicial Magistrate No.I, Villupuram.

2.The Inspector of Police,
CCD – II, Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.R.C.No.1619 of 2024

SUNDER MOHAN, J.

dk

Crl.R.C.No.1619 of 2024

11.11.2024