



Crl.RC.No.148 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.148 of 2025

P.Sakthivel

... Petitioner

Vs.

State by

The Sub-Inspector of Police

Mangalampet Police Station

Cuddalore

Crime No.176 of 2024

... Respondent

Prayer: Criminal Revision Case filed under under Section 438 and Section 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order passed in C.M.P. No.8924 of 2024 passed by the Judicial Magistrate No.2, Virudhachalam, dated 19.12.2024.

For Petitioner : Ms.S.Nishanthi

For Respondent : Mr.S.Sugendran

Additional Public Prosecutor



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ORDER

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This Criminal Revision Case has been filed by the petitioner to set aside the order passed in C.M.P. No.8924 of 2024 by the Judicial Magistrate No.2, Virudhachalam, dated 19.12.2024.

2. The case of the petitioner is that the petitioner filed a petition under Section 497 and 503 of BNSS, before the Judicial Magistrate No.2, Virudhachalam, seeking interim custody of the two wheeler bearing Regn.No.TN-19-AW-8561, which was seized in connection with Crime No.176 of 2024 for the offence under Section 4(1)(C), 4(1-A), 14(A) of TNP Amendment Act 2024. But the said petition was dismissed by order dated 19.12.2024 on the ground that the confiscation proceedings was pending. Hence, this revision is filed.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the confiscation proceedings is still pending.

4. At this juncture, the learned counsel for the petitioner submitted that



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the confiscation proceedings is pending for more than four months and there is no progress. He further submitted that the vehicle is kept in the open place exposing to sun and rain and if the vehicle continues to be in the custody of the respondent, it would become useless.

5. Heard both sides and perused the materials available on record.

6. Since the confiscation proceedings is pending, this Court is not inclined to set aside the order passed by the Magistrate.

7. However, considering the facts and circumstances, the competent authority is directed to complete the confiscation proceedings within a period of two months from the date of receipt of a copy of this order.

8. With the above directions, this Criminal Revision Case is dismissed.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The Judicial Magistrate No.2,
Virudhachalam

2. The Sub-Inspector of Police
Mangalampet Police Station
Cuddalore

3. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN. J.

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