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Crl.R.C.No.306 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.306 of 2025

Prakash

... Petitioner

..VS..

State rep.by
The Inspector of Police,
Melpadi Police Station,
Vellore District,
Crime No.198 of 2024.

... Respondent

Criminal Revision Case filed under Sections 438 read with 442 of BNSS, to set aside the dismissal order passed in Crl.M.P.No.23 of 2025 by the learned Judicial Magistrate, Katpadi, dated 08.01.2025.

For Petitioner	:	Mr.K.S.Arumugam
For Respondent	:	Mr.S.Sugendran Additional Public Prosecutor

ORDER

This Criminal Revision Petition has been preferred seeking to set aside the dismissal order dated 08.01.2025 passed in Crl.M.P.No.23 of 2025 by the learned Judicial Magistrate, Katpadi.

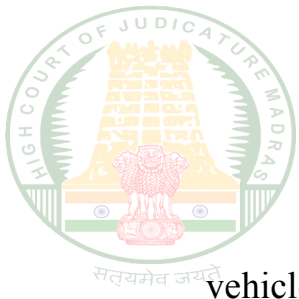


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2. The respondent-Police registered a case in Crime No.198 of 2024 against the petitioner and two others for the offence under Sections 303(2) and 326(a) of the Bharatiya Nyaya Sanhita, 2023 (BNS Act) and seized the vehicle viz., Bharat Benz 4828 R 10X2 BSVI-4 (Tarus Lorry) bearing Registration No.AP-39-UW-2513, Engine No.926956D0168242, Chasis No.MEC909FCCRP160461. The petitioner filed a petition before the Court below seeking to return of the vehicle, which was dismissed by the Court below, against which the petitioner is before this Court with the present Criminal Revision Case.

3. Learned counsel for the petitioner submitted that the petitioner, who is the owner of the vehicle in question is in no way connected with the alleged offence, without the knowledge of the petitioner, the driver and cleaner of the said vehicle have illegally transported 10 units of river sand from Pitchatur River, Andhra Pradesh. He further submitted that vehicle in question is in essential for the petitioner's day-to-day work, further the vehicle in question is left idle in the open space thereby, the condition of the vehicle is getting deteriorated and the value of the



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vehicle is lost thereby, putting the petitioner to great hardship and hence, he seeks interim custody of the vehicle and that he would abide by stringent conditions, if any, to be imposed on him. He further submitted that though the case was registered in the month of September 2024, till date the respondent-Police have not filed the charge-sheet.

4. Learned Additional Public Prosecutor appearing for the respondent-Police submitted that investigation has not yet been completed and hence, the vehicle in question cannot be released at this stage.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. Considering the nature of the offence and also considering the stage of the investigation, this Court is not inclined to grant the relief sought for by the petitioner in this Criminal Revision Petition. Accordingly, this Criminal Revision Petition is dismissed.



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7. The respondent-Police is directed to expedite the investigation and file a charge-sheet as expeditiously as possible. However, the petitioner is at liberty to approach the trial Court in the manner known to law after filing charge-sheet.

03.03.2025

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Case Citation : Yes / No
ms

To

1. The Judicial Magistrate,
Katpadi.
2. The The Inspector of Police,
Melpadi Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J.

ms

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