



Crl.R.C.Nos.321 & 323 Of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.Nos.321 & 323 of 2025

Vijaya ... Petitioner in Crl.R.C.No.321 of 2025

Ayyanar ... Petitioner in Crl.R.C.No.323 of 2025

Vs

State of Tamil Nadu represented by,
The Station House Officer,
Tirukoilur Police Station,
Kallakurichi District. ... Respondent in both Crl.R.Cs

COMMON PRAYER: Criminal Revision Petitions filed under Section 438 of BNSS read with 442 of BNSS, to set aside the order passed by the learned Judicial Magistrate Court at Thirukoilur in C.M.P.Nos.4676 & 4678 of 2024 dated 19.11.2024.

For Petitioner : Mr.G.Saravanabhavan

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor

ORDER



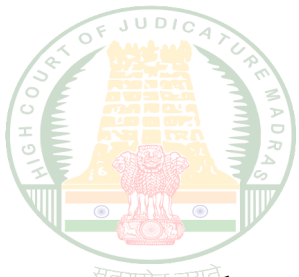
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The Criminal Revision Petitions have been filed to set aside the order dated 19.11.2024 passed in C.M.P.Nos.4676 & 4678 of 2024 by the learned Judicial Magistrate, Thirukoilur.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent-Police and perused the materials available on record.

3. The learned counsel for the petitioners submitted that the petitioners are the owners of their vehicle respectively. The alleged offence is that the petitioners have transported 2 bags each weighing 50 Kg of river sand illegally. The petitioners are noway connected with the alleged offence. Hence, the petitioners filed a petitions in C.M.P.Nos.4676 & 4678 of 2024 respectively on the file of the Judicial Magistrate Court, Thirukoilur, seeking return of their property which were seized by the respondent-Police. The learned Magistrate dismissed the same vide impugned order dated 19.11.2024. Aggrieved by the same,



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the petitioners have filed the criminal revision petitions.

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4. The learned Additional Public Prosecutor appearing for the respondent-Police submitted that the petitioners have transported river sand illegally. Hence, the respondent-Police seized the petitioners' vehicles in Crime No.460 of 2024 for the offences under Sections 303(2) of BNS, 21(1) of MMDR Act. He further submitted that the Investigation is pending. Hence, he seeks dismissal of the petitions.

5. The petitioners have filed C.M.P.Nos.4676 & 4678 of 2024 under Sections 503 and 497(2) of BNSS, before the Judicial Magistrate Court, Tirukoilur seeking to return of their property ie., Hero Passion bearing Reg.No.TN -07-CD-5742 and Hero Spelendor Plus bearing Reg.No.TN-32-BD-6676 respectively, which were seized by the respondent-police. The trial Court has dismissed the same vide impugned order dated 19.11.2024. Aggrieved by the same, the petitioners have filed the criminal revision petitions. It is submitted by the learned Additional Government Pleader appearing for the respondent-police that



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investigation is pending. Considering the nature of offence and pending investigation, this Court is not inclined to interfere with the impugned order passed by the learned Magistrate.

6. In view of the above, this Criminal Revision Petitions are dismissed.

14.02.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Judicial Magistrate, Thirukoilur
2. The Station House Officer,
Thirukoilur Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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