



Crl.R.C.No.342 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.342 of 2025

Arunprakash

... Petitioner

..VS..

State Rep.by its,
Inspector of Police,
PEW, Kottakuppam Police Station,
Villupuram District,
Crime No.1450 of 2024.

... Respondent

Criminal Revision Case filed under Sections 438 and 442 of BNSS, 2023, to set aside the dismissal order passed by the District Munsif-cum-Judicial Magistrate, Vanur in Crl.M.P.No.9 of 2025 dated 04.02.2025 and further directing the learned District Munsif-cum-Judicial Magistrate, Vanur to return the petitioner's four-wheeler bearing Reg.No.TN-07-BV-0947 Mahindra XUV 500 Car to the petitioner.

For Petitioner	:	Mr.P.Anbazhagan
For Respondent	:	Mr.S.Sugendran Additional Public Prosecutor



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ORDER

This Criminal Revision Petition is filed to set aside the order dated 04.02.2025 passed in Crl.M.P.No.9 of 2025 by the District Munsif-cum-Judicial Magistrate, Vanur and to direct the Court below to return the four-wheeler bearing Reg.No.TN-07-BV-0947 Mahindra XUV 500 Car to the petitioner.

2. The case of the prosecution is that on 20.10.2024, when the respondent/police were in routine vehicle checking at about 16.10 hrs they intercepted Car bearing Reg.No.TN-07-BV-0947 Mahindra XUV 500. On suspicion, they searched the vehicle and found liquor bottles viz., Kourrier Napoleon brandy 180 ml – 48 bottles and Manson house brandy 750 ml-1bottle. Hence, the respondent-Police registered a case in Crime No.1450 of 2024 and seized the vehicle.

3. Learned counsel for the petitioner submitted that the petitioner is owner of the subject vehicle and he is in no way connected with the



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alleged offence and that the said vehicle has been misused by the petitioner's brother without his knowledge. Hence, the petitioner filed a petition in Crl.M.P.No.9 of 2025 before the District Munsif-cum-Judicial Magistrate Court, Vanur, for interim custody of the four wheeler and the same was dismissed on 04.02.2025. Hence, the present Revision Petition is filed.

4. Learned counsel for the petitioner further submitted that if the vehicle in question is left idle in the open space, the condition of the vehicle would be deteriorated and the value of the vehicle would be lost, thereby, putting the petitioner to great loss and 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.

5. Learned Additional Public Prosecutor appearing for the respondent-Police submitted that the petitioner was alleged to have been used the said vehicle for illegal transportation of liquor bottles. In this case, investigation is not yet completed and confiscation proceedings



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have been initiated by the competent authority and hence, the vehicle in question cannot be released at this stage.

6. This Court considered the rival submissions and perused the materials available on record.

7. Taking note of the above submissions, this Court finds that investigation is pending and charge sheet is not yet filed and confiscation proceedings have been initiated by the competent authority. Therefore, this Court is not inclined to grant the relief as sought for the petitioner and hence, this Criminal Revision Petition is liable to be dismissed. Accordingly, this Criminal Revision Petition is dismissed. It is open to the petitioner to participate in the confiscation proceedings.

05.03.2025

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

1. The District Munsif-cum-Judicial Magistrate,
Vanur.
2. The Inspector of Police,
PEW, Kottakuppam Police Station,
Villupuram District.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J.

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