



Crl.RC.No.364 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.364 of 2025

Ganesh Kumar

... Petitioner

Vs.

State by

Inspector of Police

Tiruvalam Police Station

Vellore District

... Respondent

Prayer: Criminal Revision Case filed under Section 397 & 401 Cr.P.C. (438 rad with 441 of B.N.S.S. to set aside the order dated 14.2.2025 passed by the Judicial Magistrate, Katpadi, Vellore District in Crl.M.P.No.250 of 2025 in Crime No.5 of 2025 and direct to release the vehicle, Ashok Leyland Tipper Lorry bearing Registration No.TN-22-AW-0636 owned by the petitioner.

For Petitioner

: Mr.D.Thirumoorthy

For Respondent

: Mr.S.Sugendran

Additional Public Prosecutor



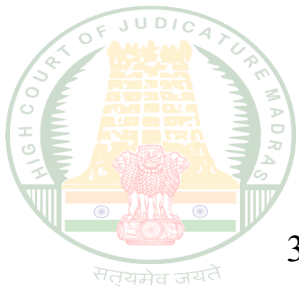
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ORDER

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This Criminal Revision Case has been filed by the petitioner to set aside the order dated 14.2.2025 passed by the Judicial Magistrate, Katpadi, Vellore District in Crl.M.P.No.250 of 2025 in Crime No.5 of 2025 and direct to release the vehicle, Ashok Leyland Tipper Lorry bearing Registration No.TN-22-AW-0636 owned by the petitioner.

2. The case of the petitioner is that the petitioner's vehicle namely Ashok Leyland Tipper Lorry bearing Registration No.TN-22-AW-0636, was seized by the respondent police on 06.01.2025 in connection with Crime No.5 of 2025 alleging that the said vehicle involved in transportation of 3 units of river sand without valid permit from the authorities concerned. Therefore, the petitioner filed a petition before the Judicial Magistrate, Katpadi, Vellore District, under Section 503 of B.N.S.S. in C.M.P.No.250 of 2025 seeking interim custody of the vehicle, but the same was dismissed by order dated 14.02.2025. Challenging the same, the present revision is filed.



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3. The learned Additional Public Prosecutor appearing for the respondent

police submitted that the investigation has not been completed and confiscation proceedings has not been initiated.

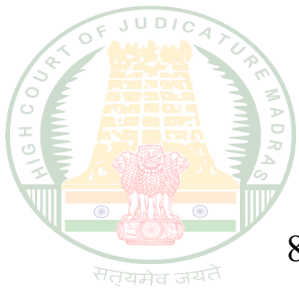
4. Heard both sides and perused the materials available on record.

5. It is seen that the said vehicle has been seized while transporting river sand without valid permit. Further, the investigation has not been completed.

Therefore, considering the serious in nature of offence and the stage of investigation, this Court is not inclined to allow the petition.

6. The respondent police is directed to complete the investigation and file the charge sheet within a period of 15 days from the date of receipt of a copy of this order and the competent authority is at liberty to initiate confiscation proceedings, if necessary, within a period of one month thereafter.

7. In case neither the charge sheet is filed nor the confiscation proceedings is initiated within the said period, the Magistrate shall hand over the interim custody of the vehicle to the petitioner.



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8. At the time of returning the vehicle to the petitioner, the Magistrate

shall impose a condition directing the petitioner to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only) to the credit of crime number and also obtain the original RC Book and appropriate undertaking from the petitioner that the petitioner will not alienate the vehicle or change the Engine number, Chasis Number etc. and that the petitioner would produce the vehicle as and when required.

9. With the above directions, this Criminal Revision Case is disposed of.

06.03.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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



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P.VELMURUGAN. J.

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