



Crl.R.C.No.569 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

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... Petitioner

Vs

State represented by,
The Inspector of Police,
Vaitheeswarankoil Police Station,
Mayiladuthurai District.

... Respondent

PRAYER:

Criminal Revision Petition filed under Section 397 and 401 of Cr.P.C., to set aside the order passed in Crl.M.P.No.760 of 2022 dated 31.03.2022 on the file of the learned Principal District and Sessions Judge, Nagapattinam and to direct the respondent to return the petitioner vehicle (Ashok Leyland) Tipper Lorry bearing Registration No. TN-31-H-0567 in Crime No.654 of 2021.

For Petitioner : Mr.R.Subramanian

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

This Criminal Revision Petition has been filed to set aside the order dated 31.03.2022 passed in Crl.M.P.No.760 of 2022 on the file of the Principal District and Sessions Court, Nagapattinam and to direct the respondent-Police to return the petitioner's vehicle (Ashok Leyland) Tipper Lorry bearing Registration No. TN-31-H-0567.

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

3. The learned counsel for the petitioner submitted that the respondent Police registered a case in Crime No.654 of 2021 against the petitioner for the offence under Section 379 of IPC read with Section 21(1) of Mines and Minerals (Development and Regulation) Act 1957. The alleged offence is that the petitioner used his vehicle for illegal transportation of sand. The petitioner is the owner of the vehicle. The



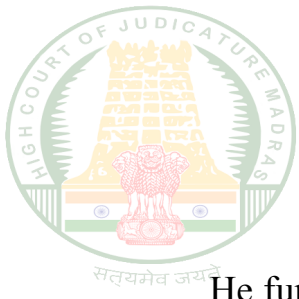
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petitioner is noway connected with the alleged offence. Hence, the petitioner filed a petition in CrI.M.P.No.760 of 2022 under Sections 451 and 457 of Cr.P.C., seeking return of his vehicle, on the file of the Principal District and Sessions Court, Nagapattinam. The learned Sessions Judge dismissed the same vide impugned order dated 31.03.2022. Aggrieved by the same, the petitioner has filed this Criminal Revision Petition.

4. When the matter came up for hearing on 11.03.2025, this Court had directed the respondent-Police to file a status report regarding the stage of investigation in Crime No.654 of 2024.

5. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent-Police submitted that investigation was over and charge sheet has been filed on 12.03.2025 before the Judicial Magistrate Court, Sirkazhi vide e-filing No.LTN 2023 0000113/C202500040. The vehicle has been produced before the Magistrate concerned and C.P number has also been allotted.



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He further submitted that confiscation proceedings has been initiated and the same is pending.

6. Since the confiscation proceedings has been initiated, the petitioner is at liberty to participate in the confiscation proceeding. Further, the competent authority is directed to conduct enquiry after issuing notice to the petitioner and dispose of the matter in accordance with law.

7. With the abovesaid direction, this Criminal Revision Petition is disposed of.

14.03.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

1. The Principal District and Sessions Judge, Nagapattinam.
2. The Judicial Magistrate Court, Sirkazhi
3. The Inspector of Police,
Vaitheeswarankoil Police Station,
Mayiladuthurai District.
4. The Public Prosecutor,
High Court, Chennai.
5. The Judicial Magistrate Court, Sirkazhi



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