



Crl.RC.No.423 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

Coram:

**THE HONOURABLE MR. JUSTICE P.VELMURUGAN**

Crl.RC.No.423 of 2025

Vadivel

... Petitioner

Vs.

State Represented by  
The Inspector of Police  
Karimangalam Police Station  
(Crime No.439 of 2024)

... Respondent

**Prayer:** Criminal Revision Case filed under Section 438 read with 442 of B.N.S.S. to set aside the order in Crl.M.P.No.3348 of 2024 dated 20.02.2025 passed by the Court of the District Munsif cum Judicial Magistrate, Karimangalam as illegal.

|                |                              |
|----------------|------------------------------|
| For Petitioner | : Mr.R.Thiyagu               |
| For Respondent | : Mr.S.Sugendran             |
|                | Additional Public Prosecutor |



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## ORDER

This Criminal Revision Case has been filed by the petitioner to set aside the order in Crl.M.P.No.3348 of 2024 dated 20.02.2025 passed by the District Munsif cum Judicial Magistrate, Karimangalam.

2. The case of the petitioner is that the petitioner is the owner of the Tipper Lorry bearing Registration No.TN-29-CS-5450. The said Lorry was seized by the respondent police in connection with Crime No.439 of 2024 for the offence under Section 303(2) BNS read with Section 21(1), 21(4) of Mines and Minerals (Development and Regulation) Act, 1957. Subsequently, the petitioner filed a petition in Crl.M.P.No.3348 of 2024 under Section 503 and 497 of BNSS seeking return of property, but the said petition was dismissed by order dated 20.02.2025. Aggrieved by the same, the present revision is filed.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the said Lorry was seized while illegally transporting



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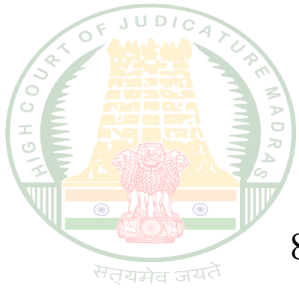
and though the investigation is pending, the competent authority has initiated confiscation proceedings.

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

5. It is seen that the investigation is pending and the confiscation proceedings is at the initial stage. Therefore, the petitioner is not entitled to the relief as sought for.

6. However, the respondent police is directed to complete the investigation and file the charge sheet within a period of one month from the date of receipt of a copy of this order. Further, the authorities concerned are directed to serve notice to the petitioner without any delay and complete the confiscation proceedings within a period of two months after serving notice to the petitioner.

7. The petitioner is at liberty to participate in the confiscation proceedings on receipt of the notice.



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8. With the above observations and directions, this Criminal Revision

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Case is disposed of.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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1. The District Munsif cum Judicial Magistrate,  
Karimangalam
2. The Inspector of Police  
Karimangalam Police Station
3. The Public Prosecutor  
High Court of Madras



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**P.VELMURUGAN. J.**

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