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Crl.R.C.No.426 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

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THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.No.426 of 2025

Bakkiyalakshmi

... Petitioner

Vs

State by,
The Inspector of Police,
Melpadi Police Station,
Vellore District.

... Respondent

PRAYER: Criminal Revision Petition filed under Sections 397 and 401 Cr.P.C., (438 of BNS read with 442 of BNS Act.), to set aside the order dated 28.02.2025 passed by the Judicial Magistrate, Katpadi, Vellore District in Crl.M.P.292 of 2025 in Crime No.227 of 2024 and to give direction to release the vehicle Ashok Ley Land Tipper Lorry bearing registration number TN-73, L-5665 owned by the petitioner.

For Petitioner : Mr.D.Thirumorthy

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor



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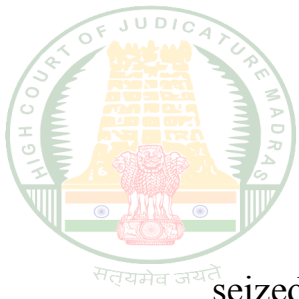
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ORDER

This Criminal Revision Petition has been filed to set aside the order dated 8.02.2025 passed in Crl.M.P.292 of 2025 by the learned Judicial Magistrate, Katpadi, Vellore District and to give direction to release the vehicle Ashok LeyLand Tipper Lorry bearing registration number TN-73 L-5665 owned by the petitioner.

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 petitioner is the owner of the vehicle. The alleged offence is that the petitioner has transported 4 units of river sand illegally. The petitioner is noway connected with the alleged offence. Hence, the petitioner filed a petition in Crl.M.P.No.292 of 2025 on the file of the Judicial Magistrate Court, Katpadi, Vellore District, seeking return of property which was



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seized by the respondent-Police. The learned Magistrate dismissed the same vide impugned order dated 28.02.2025. Aggrieved by the same, the petitioner has filed this criminal revision petition.

4. The learned Additional Public Prosecutor appearing for the respondent-Police submitted that the petitioner has transported river sand illegally. Hence, the respondent-Police seized the petitioner's vehicle in Crime No.227 of 2024 for the offences under Sections 303(2) and 326(a) of BNSS Act. He further submitted that the Investigation is pending and charge sheet yet to be filed. However, the property was produced before the Magistrate concerned and C.P.No.42 of 2025 was allotted on 07.02.2025. Hence, he seeks dismissal of this petition.

5. Considering the nature of offence and pending investigation, this Court is not inclined to interfere with the impugned order passed by the learned Magistrate. However, the petitioner is at liberty to approach the magistrate concerned, after filing of charge sheet.



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6. In view of the same, this Criminal Revision Petition is disposed of.

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mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

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



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