



Crl.R.C.No.670 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.670 of 2024

S.Easwari

... Petitioner

Vs

State By
The Inspector of Police,
Mohanur Police Station,
Mohanur,
Namakkal District.
Cr.No.56 of 2024.

... Respondent

PRAYER: Criminal Revision Case is filed under Section 397 read with 401 of Code of Criminal Procedure, to call for the records and set aside the order dated 22.03.2024 made in C.M.P.No.215 of 2024 on the file of the learned Judicial Magistrate Court No.2, Namakkal and release the vehicle Ashok Leyland Comot Tipper Lorry bearing Registration No.TN 55 X 0956, Chassis No.MB1G3DYC9BRXD9446 and Engine No.YBH681160 by allowing this criminal revision petition.

For Petitioner : Mr.K.P.Narayanakumar
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER



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This Criminal Revision has been filed challenging the order dated 22.03.2024 made in C.M.P.No.215 of 2024 on the file of the Judicial Magistrate Court No.2, Namakkal, thereby dismissing the petition filed for return of property.

2. Heard the learned counsel appearing on either side and perused the materials placed on record.

3. The petitioner is the owner of the Ashok Leyland Comot Tipper Lorry bearing Registration No.TN 55 X 0956, Chassis No.MB1G3DYC9BRXD9446 and Engine No.YBH681160. It was hired by the accused to transport river sand weighing 4 units. The accused illegally transported the same without any valid permit and as such, the respondent registered FIR in Crime No.56 of 2024 for the offence punishable under Section 379 of IPC.

4. Pursuant to the registration of FIR, the vehicle has been seized and produced before the Court. However, the petitioner is not an accused. The petitioner, being the owner of the vehicle has filed this petition.



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5. In view of the above, this Court is inclined to return the vehicle.

Accordingly, the order dated 22.03.2024 made in C.M.P.No.215 of 2024 on the file of the learned Judicial Magistrate Court No.2, Namakkal, is hereby set aside. The Judicial Magistrate Court No.2, Namakkal, is directed to return the vehicle Ashok Leyland Comot Tipper Lorry bearing Registration No.TN 55 X 0956, Chassis No.MB1G3DYC9BRXD9446 and Engine No.YBH681160 to the petitioner, forthwith on the following conditions:-

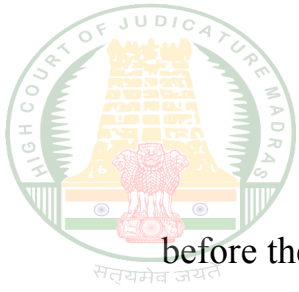
(i) the petitioner is directed to execute a own bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) to the satisfaction of the concerned Magistrate to the credit of Crime No.56 of 2024 pending on the file of the respondent police.

(ii) the petitioner shall deposit the original registration certificate of the vehicle with the concerned Magistrate.

(iii) the seized item should be photographed at the cost of the petitioner herein and a list is to be prepared and the same is to be signed by the petitioner.

(iv) the petitioner shall not alienate and shall not make any alteration in the vehicle.

(v) the petitioner shall produce the vehicle before the Court and



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before the respondent police as and when required;

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(vi) If any of the conditions are violated, this order automatically stands cancelled.

6. Accordingly, the Criminal Revision Case stands allowed.

05.08.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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To

1. The Judicial Magistrate Court No.2, Namakkal.
2. The Inspector of Police,
Mohanur Police Station,
Mohanur,
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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