



Crl.R.C.No.672 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.672 of 2024

Prasanth

... Petitioner

Vs

State Rep By
The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
(Cr.No.25/2024)

... Respondent

PRAYER: Criminal Revision Case is filed under Section 397 read with 401 of Code of Criminal Procedure, to call for the records relating to the order dated 11.03.2024 made in Crl.M.P.No.379 of 2024 passed by the Learned Judicial Magistrate, Madathukulam.

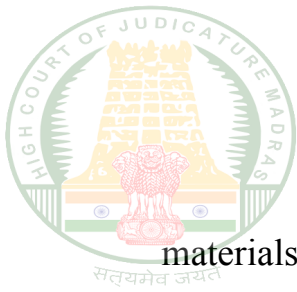
For Petitioner : Mr.Ilamvazhuthi
for Mr.R.Babu

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

This Criminal Revision has been filed challenging the order dated 11.03.2024 made in Crl.M.P.No.379 of 2024 passed by the Judicial Magistrate, Madathukulam, thereby dismissing the petition filed for return of property.

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



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materials placed on record.

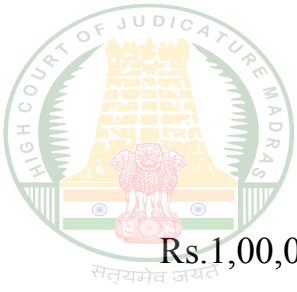
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3. The petitioner owned a Poclain Vehicle bearing registration No.TN 48 BZ 2637. It was hired by the accused to transport gravel sand weighing 3 ½ units. The accused illegally transported the same without any valid permit and as such, the respondent registered FIR in Crime No.25 of 2024 for the offence punishable under Section 379 of IPC and Section 21(1) of Mines and Mineral (Development and Regulation) Act, 1957.

4. Pursuant to the registration of FIR, the vehicle has been seized and produced before the Court. Though the petitioner is the owner of the vehicle, he has been arrayed as A4.

5. In view of the above, this Court is inclined to return the vehicle. Accordingly, the order dated 11.03.2024 made in Crl.M.P.No.379 of 2024 passed by the Judicial Magistrate, Madathukulam, is hereby set aside. The Judicial Magistrate, Madathukulam, is directed to return the Poclain Vehicle bearing registration No.TN 48 BZ 2637 to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute a own bond for a sum of



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Rs.1,00,000/- (Rupees One Lakh only) to the satisfaction of the concerned Magistrate to the credit of Crime No.25 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 before the respondent police as and when required;

(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
mn

G.K.ILANTHIRAIYAN. J.

mn



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To

1. The Judicial Magistrate, Madathukulam.
2. The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.

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