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Crl.R.C.No.795 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2025

CORAM:

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

Crl.R.C.No.795 of 2024

Sandhya

..... Petitioner

Vs

The State rep. by
The Inspector of Police
Anaimalai Police Station
Pollachi-642 104.

..... Respondent

PRAYER: Criminal Revision Case is filed under Section 397 & 401 of Cr.P.C, to set aside the order dated 28.02.2024 passed in Crl.M.P No.1565 of 2024 passed by the Judicial Magistrate No.I, Pollachi, Coimbatore District and direct the respondent to release the Hitachi Vehicle, Kubota Mini Excavator U 30-5, Serial No.80160, Engine No.7FK7569 which was seized in connection with Cr.No.68/2024 on the file of the respondent police to the petitioner.

For Petitioner : M/s.P.J.Anitha
For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This Criminal Revision has been filed challenging the order passed in Crl.M.P.No.1565 of 2024 dated 28.02.2024 on the file of Judicial Magistrate No.I, Pollachi, Coimbatore District, thereby dismissing the petition filed for



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return of vehicle namely Hitachi Vehicle, Kubota Mini Excavator U 30-5, Serial No.80160, Engine No.7FK7569.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent and also perused the materials available on record.

3. The petitioner owned a Hitachi Vehicle, Kubota Mini Excavator U 30-5, Serial No.80160, Engine No.7FK7569. Pursuant to the registration of FIR in Crime No.68 of 2024, on the file of the respondent Police, the Hitachi Vehicle owned by the petitioner was seized by the respondent alleging that the said vehicle was involved in carrying gravel sand in a private land without any permission or license. The case has been registered for the offence punishable under Section 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act 1957, as against the Driver of the Hitachi and others. The said vehicle was produced before the Judicial Magistrate No.I, Pollachi, Coimbatore District.

4. The learned Government Advocate (Crl.side) would submit that now investigation is in progress and a final report is yet to be filed.

5. Admittedly, the petitioner used the Hitachi Vehicle to carry



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gravel sand that too, from the patta land which belongs to a private person.

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6. In view of the above, this Court is inclined to return the vehicle to the petitioner and accordingly, the order passed in Crl.M.P No.1565 of 2025 dated 28.02.2024 by the file of Judicial Magistrate No.I, Pollachi, Coimbatore District, is hereby set aside. The Judicial Magistrate No.I, Pollachi, Coimbatore District, is directed to return the Hitachi Vehicle, Kubota Mini Excavator U 30-5, Serial No.80160, Engine No.7FK7569 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.68 of 2024 pending on the file of the respondent police.

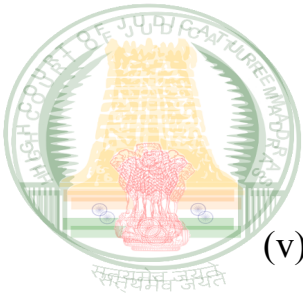
(ii) the petitioner shall deposit the original registration certificate of the vehicle with the concerned Magistrate.

(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.

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(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.

7. Accordingly, the Criminal Revision Case stands allowed.

25.08.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

1. The Judicial Magistrate No.I, Pollachi, Coimbatore District

2.The Inspector of Police
Anaimalai Police Station
Pollachi-642 104.

3. The Public Prosecutor,
High Court, Madras.

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