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CrI.O.P.No.16347 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.06.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.16347 of 2025

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Janarthanan

.. Petitioner

Vs.

State rep. by its
Inspector of Police,
Kandamangalam Police Station,
Villupuram District.
(Cr.No.311 of 2020)

.. Respondent

Criminal Original Petition filed under Section 528 of BNSS, to set aside the order passed by the Principal Sessions Judge, Villupuram dated 29.02.2024 vide CrI.M.P.No.1432 of 2024 in CrI.R.P.No.201 of 2021.

For petitioner : Mr.A.T.Anbu Kumar

For respondent: MDr.C.E.Pratap
Government Advocate (Criminal Side)



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ORDER

Heard both sides and perused the materials available on record.

2. The petitioner has challenged the order passed by the learned Principal Sessions Judge, Villupuram, in Crl.M.P.No.1432 of 2024, which dismissed his request for relaxation of conditions imposed in Crl.R.P.No.201 of 2021.

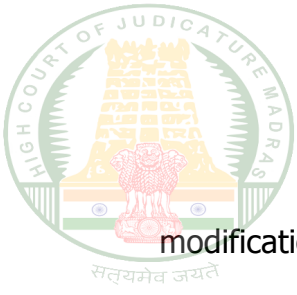
3. The case was initially registered against the petitioner under Sections 379, 430 of IPC and Section 21(1) of the Mines and Minerals (Development & Regulation) Act, 1957, vide Crime No.311/2020, dated 01.05.2020. The petitioner was arrayed as the 4th Accused, and the respondent police seized the Mahindra Bolero Pickup Van (Reg. No: PY-05-F-0180) on allegations of illegal transportation of river sand. The investigating officer later confirmed that the sand was sourced from the Vazhuthavur Sangarabarani River in Villupuram. The vehicle remained in police custody, leading the petitioner to file a petition under Section 451 Cr.P.C before the learned Judicial Magistrate-II, Villupuram, seeking interim custody of the vehicle. The petition was dismissed on 05.04.2021. Aggrieved by the order, the petitioner moved a Criminal Revision Petition in Crl.R.P.No.201/2021 before the learned Principal Sessions Judge, Villupuram, which was allowed on 04.09.2021, subject to certain conditions. Despite the conditional relief granted, the petitioner failed to



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comply with those conditions for nearly three years. In 2024, he filed CrI.M.P.No.1432/2024 seeking an extension of time to fulfill the requirements, citing financial difficulties and his sole dependence on the vehicle for livelihood. The petition was dismissed on 29.02.2024, and challenging the said order, the present criminal original petition.

4. A perusal of records, it could be seen that the vehicle Mahindra Bolero Pickup Van (Reg.No:PY-05-F-0180) was seized by the respondent police on 01.05.2020 in connection with Crime No.311/2020, registered under Sections 379, 430 IPC and Section 21(1) of the Mines and Minerals (Development & Regulation) Act, 1957. The petitioner sought its return under Section 451 Cr.P.C, but the request was dismissed by the Judicial Magistrate-II, Villupuram, on 05.04.2021. Later, the petitioner filed CrI.R.P.No.201 of 2021 before the Principal Sessions Judge, Villupuram, who allowed it on 04.09.2021, imposing certain conditions for release, including surrendering the RC book, executing a bond of Rs.5,00,000/-, providing an undertaking not to use the vehicle illegally, and other directions. . Despite obtaining this relief, the petitioner did not comply with those conditions for nearly three years and subsequently sought an extension of time through CrI.M.P.No.1432/2024, citing financial difficulties. While the petitioner contends that his livelihood depends on the vehicle, legal principles require that court orders must be complied with within the stipulated time. The prolonged delay in fulfilling the conditions reflects a lack of diligence on the petitioner's part, as he neither complied nor sought any



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modification, only filing a petition in the year 2024. In the considered opinion of this Court, the learned Sessions Judge rightly dismissed the relaxation petition, and this Court finds no reason to interfere with the said order. However, considering the fact that no confiscation steps were initiated by the respondent police, this Court directs them to immediately commence confiscation proceedings, ensuring due notice is served on the petitioner.

5. With the above observations, this criminal original petition is dismissed.

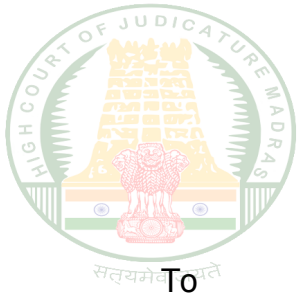
10.06.2025

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Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No



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To

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1. The Inspector of Police, Kandamangalam Police Station,
Villupuram District.
- 2.The Principal Sessions Judge, Villupuram.
3. The Public Prosecutor, Madras High Court, Chennai.



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P.VELMURUGAN, J

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