



Crl.R.C.No. 706 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2025

CORAM:

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

Crl.R.C.No. 706 of 2025

Saravana Kumar

... Petitioner

Vs

State rep. by
The Inspector of Police,
Udumalpet Police Station,
Tiruppur District,
Crime No.773 of 2024

... Respondent

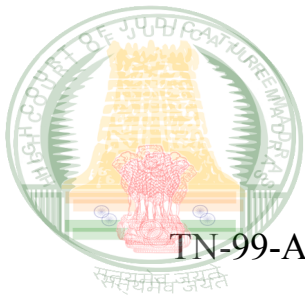
PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order passed in Crl M.P.No.4219 of 2024 by the learned Judicial Magistrate No.I, Udumalpet, Tiruppur District dated 08.01.2024.

For Petitioner : Mr.M.N.Balakrishnan

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

ORDER

This Criminal Revision Case has been filed challenging the order dated 08.01.2024 passed in Crl.M.P.No.4219 of 2024 on the file of the Judicial Magistrate No.I, Udumalpet, Tiruppur District, thereby dismissing the petition filed for return of vehicle viz., Tipper Lorry bearing Registration No.



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TN-99-AB-5941.

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2. The petitioner is the owner of the lorry bearing Registration No.TN-99-AB-5941, which was allegedly involved in the transportation of 6 units of ordinary stone, without any valid license.

3. Based on the complaint, an FIR was registered in Crime No.773 of 2024 for the offences punishable under Sections 305(e) of BNS r/w Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957. Pursuant to the registration of the FIR, the said vehicle was seized and the same was produced before the Judicial Magistrate No.I, Udumalpet, Tiruppur District.

4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. It is seen from the records that the petitioner is arrayed an accused in Crime No.773 of 2024. The petitioner filed a petition seeking return of the seized vehicle, which was dismissed by the Trial Court. Admittedly, the petitioner had transported 6 units of ordinary stone for his personal use. However, without considering the same, the Trial Court dismissed the petition



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for return of the vehicle.

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6. In view of the above discussions, this Court is inclined to return the vehicle to the petitioner and accordingly, the order dated 08.01.2024 passed in Crl.M.P.No.4219 of 2024 on the file of the Judicial Magistrate No.I, Udumalpet, Tiruppur District, is hereby set aside. The learned Judicial Magistrate No.I, Udumalpet, Tiruppur District, is directed to return the Tipper Lorry bearing Registration No.TN-99-AB-5941 to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute an 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.773 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.

11.06.2025

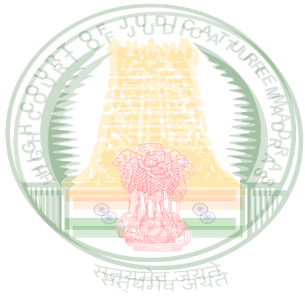
Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

1. The Judicial Magistrate No.I,
Udumalpet,
Tiruppur District.

2. The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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