



Crl.R.C.No.630 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2025

CORAM:

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

Crl.R.C.No.630 of 2025

Senthilkumar

... Petitioner

Vs

The State Rep by,
The Inspector of Police,
K.V.Kuppam Police Station,
Vellore-632 201.

Cr.No.234 of 2024

... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order passed in Crl.M.P.No.3367 of 2024 dated 22.01.2025 on the file of Judicial Magistrate, Katpadi.

For Petitioner : Mr.B.S.Manikandan

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.3367 of 2024 dated 22.01.2025 on the file of Judicial Magistrate, Katpadi, thereby dismissing the petition filed for return of vehicle bearing Registration No. TN 23 DA 9140.

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



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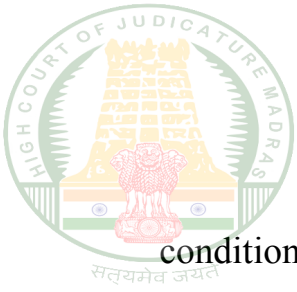
materials placed on record.

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3. The petitioner owned a Tractor bearing Registration No.TN 23 DA 9140. Pursuant to the registration of FIR in Crime No.234 of 2024, on the file of the respondent Police, the Tractor owned by the petitioner was seized by the respondent alleging that the Driver of the Tractor was illegally transporting ½ unit of lake sand without any permission or license. The case has been registered for the offence punishable under Sections 303(2) and 326(a) of BNS, 2023 as against the Driver of the Tractor and others. However, the petitioner is not an accused in Crime No.234 of 2024.

4. The learned Government Advocate (Crl.side) would submit that the entire investigation in Crime No.234 of 2024 has been completed and also filed a final report before the Judicial Magistrate, Katpadi and the same has been taken cognizance in C.C.No.117 of 2025.

5. In view of the above, the order passed in Crl.M.P.No.3367 of 2024 dated 22.01.2025 on the file of Judicial Magistrate, Katpadi, is hereby set aside. The Judicial Magistrate, Katpadi, is directed to return the Tractor bearing Registration No.TN 23 DA 9140 to the petitioner, forthwith on the following



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conditions:-

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(i) the petitioner is directed to execute a own bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the satisfaction of the concerned Magistrate to the credit of Crime No.234 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.



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Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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To

1. The Judicial Magistrate, Katpadi.

2. The Inspector of Police,

K.V.Kuppam Police Station,

Vellore-632 201.

3. The Public Prosecutor,

High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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