



Crl.R.C.No.1057 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C.No.1057 of 2024

Soundararajan

... Petitioner

Vs

The State, Represented By
The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
(Crime No.330 of 2024)

... Respondent

PRAYER: Criminal Revision Case is filed under Sections 397 and 401 of Code of Criminal Procedure, to set aside the Order dated 05.06.2024 made in Crl.M.P.No.4073 of 2024 on the file of Judicial Magistrate, Sriperumbudur and consequently pass an order the interim custody of JCB India Ltd, JCB 3 DX BACK HOELOADER vehicle bearing Reg.No.TN-63-AP-9015 to the petitioner.

For Petitioner : Mr.K.S.Harish

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

This Criminal Revision has been filed challenging the order dated 05.06.2024 made in Crl.M.P.No.4073 of 2024 on the file of Judicial Magistrate, Sriperumbudur, thereby dismissing the petition filed for return of property.



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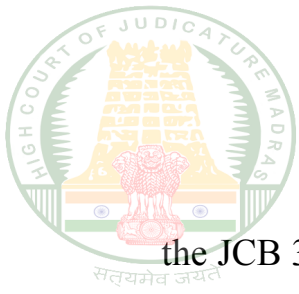
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2. Heard the learned counsel appearing on either side and perused the materials placed on record.

3. The petitioner owned a JCB 3 DX Back Hoeloder vehicle bearing Registration No.TN 63 AP 9015. It was hired by the accused to transport savudu sand weighing three units that too from private land. The accused illegally transported the same without any valid permit and as such, the respondent registered FIR in Crime No.330 of 2024 for the offence punishable under Sections 430 and 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957.

4. Pursuant to the registration of FIR, the vehicle has been seized and produced before the Court. Therefore, the petitioner filed a petition for return of property and the same was dismissed.

5. Considering the facts and circumstances of the case, this Court is inclined to return the vehicle. Accordingly, the order dated 05.06.2024 made in Crl.M.P.No.4073 of 2024 on the file of Judicial Magistrate, Sriperumbudur, is hereby set aside. The Judicial Magistrate, Sriperumbudur, is directed to return



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the JCB 3 DX Back Hoeloder vehicle bearing Registration No.TN 63 AP 9015

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.330 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.



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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, Sriperumbudur.
2. The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
3. The Public Prosecutor,
High Court, Madras.



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This matter is posted today under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel for the petitioner has brought to the notice of this Court that there is a typographical error in Paragraph No.5(i) of the order dated 26.08.2025 passed in Crl.R.C.No.1057 of 2024.

3. Considering the submission made by the learned counsel appearing for the petitioner, this petition is clarified and Paragraph No.5(i) of the order dated 26.08.2025 in Crl.R.C.No.1057 of 2024 shall be read as follows:-

“ 5(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 in Crime No.330 of 2024 pending on the file of the respondent police.”

4. Registry is directed to carry out the above correction in the order dated 26.08.2025 in Crl.R.C.No.1057 of 2024, and issue a corrected order copy afresh.

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Internet:Yes/No
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