



Crl.R.C.No.1096 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.1096 of 2024

N.Girish Babu

... Petitioner

Vs

The State Rep By
The Inspector of Police,
Nallur Police Station,
Krishnagiri District.
Cr.No.14 of 2024.

... Respondent

PRAYER: Criminal Revision Case is filed under Sections 397 of Code of Criminal Procedure, to set aside the order dated 07.05.2024 made in Crl.M.P.No.1630 of 2024 on the file of the Judicial Magistrate No.II, Hosur and consequently, direct the respondent to return the vehicle namely unregistered JCB with Engine No.H00109235 and Chassis No.HAR3DXSSK01892083 to the petitioner forthwith.

For Petitioner : Mr.C.Munusamy

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

This Criminal Revision has been filed challenging the order dated 07.05.2024 made in Crl.M.P.No.1630 of 2024 on the file of the Judicial Magistrate No.II, Hosur, thereby dismissing the petition filed for return of



Crl.R.C.No.1096 of 2024

property.

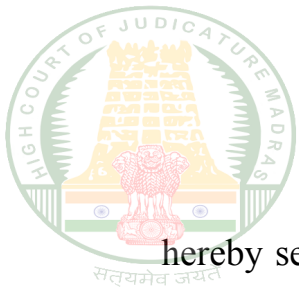
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2. Heard the learned counsel appearing on either side and perused the materials placed on record.

3. The petitioner owned an unregistered JCB with Engine No.H00109235 and Chassis No.HAR3DXSSK01892083. It was hired by the accused to transport clay sand that too from a private land. The accused illegally transported the same without any valid permit and as such, the respondent registered FIR in Crime No.14 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 07.05.2024 made in Crl.M.P.No.1630 of 2024 on the file of the Judicial Magistrate No.II, Hosur, is



Crl.R.C.No.1096 of 2024

hereby set aside. The Judicial Magistrate No.II, Hosur, is directed to return the

unregistered JCB with Engine No.H00109235 and Chassis No.HAR3DXSSK01892083 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.14 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.



Crl.R.C.No.1096 of 2024

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6. Accordingly, the Criminal Revision Case stands allowed.

26.08.2025

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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Crl.R.C.No.1096 of 2024

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To

1. The Judicial Magistrate No.II, Hosur.
2. The Inspector of Police,
Nallur Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.



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Crl.R.C.No.1096 of 2024

G.K.ILANTHIRAIYAN. J.

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Crl.R.C.No.1096 of 2024

26.08.2025