



Crl.R.C.No.691 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2025

CORAM:

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

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P.Seerangan

..... Petitioner

Vs

The State by Inspector of Police,
Poolampatti Police Station,
Salem District.
Crime No.52 of 2025

..... Respondent

PRAYER: Criminal Revision Case is filed under Sections 438 r/w 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 05.04.2025 made in C.M.P.No.70 of 2025 on the file of the District Munsif-cum-Judicial Magistrate, Edappadi, by allowing this Criminal Revision Petition.

For Petitioner : Mr.A.Saravanan

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

ORDER

This Criminal Revision has been filed challenging the order dated 05.04.2025 passed in C.M.P.No.70 of 2025 on the file of the District Munsif-cum-Judicial Magistrate, Edappadi, thereby dismissing the petition seeking



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return of vehicle, viz., Mahindra 605 DI MS Tractor with Trailer.

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2. The petitioner is the owner of the vehicle bearing Registration No.TN-52-Q-0033 Mahindra 605 DI MS Tractor with Trailer, which was allegedly involved in transporting one unit of rough stone without any valid permission.

3. Based on the complaint, an FIR was registered in Crime No.52 of 2025 for the offences punishable under Sections 303(2) of Bhartiya Nyaya Sanhita, 2023 and Section 21(1) of Mines & Minerals (Development and Regulation) Act, 1957. Pursuant to the registration of the FIR, the vehicle has been seized and the same was deposited before the District Munsif-cum-Judicial Magistrate Court, Edappadi.

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 as A1. The petitioner filed an application seeking return of the vehicle and the same was dismissed by the Trial Court. Admittedly, the petitioner had transported



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rough stones weighing one unit from the patta land. However, the Trial Court,

without considering the same, dismissed the application.

6. In view of the above, this Court is inclined to return the vehicle to the petitioner and accordingly, the order dated 05.04.2025 in C.M.P.No.70 of 2025 on the file of the District Munsif-cum-Judicial Magistrate, Edappadi, is hereby set aside. The District Munsif-cum-Judicial Magistrate, Edappadi, is directed to return the vehicle viz., Mahindra 605 DI MS Tractor with Trailer bearing Registration No.TN-52-Q-0033 to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute an own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the concerned Magistrate to the credit of Crime No.52 of 2025 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.

09.06.2025

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

To

1. The District Munsif-cum-Judicial Magistrate,
Edappadi.

2. Inspector of Police,
Poolampatti Police Station,
Salem District.

3. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.



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