



*Crl.R.C.No.655 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2025

CORAM:

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

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R.Anbalagan

..... Petitioner

Vs

State rep. by  
The Inspector of Police  
Konganapuram Police Station  
Salem District

..... Respondent

**PRAYER:** Criminal Revision Case is filed under Section 438 r/w 447 of BNSS Act, 2023, to set aside the order passed in Crl.M.P No.111 of 2025 dated 29.04.2025 on the file of learned District Munsif cum Judicial Magistrate, Edappadi by allowing this Criminal Revision Case.

For Petitioner : Mr.A.Saravanan  
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.111 of 2025 dated 29.04.2025 by the learned District Munsif cum Judicial Magistrate, Edappadi, thereby dismissing the petition filed for



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return of vehicle namely Tipper Lorry bearing Registration No.TN 28 BJ 7179.

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2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent and also perused the materials available on record.

3. The petitioner owned a Tipper Lorry bearing Registration No.TN 28 BJ 7179. Pursuant to the registration of FIR in Crime No.181 of 2025, on the file of the respondent Police, the Tipper Lorry owned by the petitioner was seized by the respondent alleging that the Driver of the Tipper Lorry was illegally transporting 4 units of rough stone without any permission or license. The case has been registered for the offence punishable under Section 21(1) of Mines and Minerals (Development & Regulation) Act 1957 and 303(2) of B.N.S Act 2023 as against the Driver and owner of the Tipper Lorry. The petitioner is arrayed as A2. The said vehicle was produced before the District Munsif cum Judicial Magistrate, Edappadi.

4. The learned Government Advocate (Crl.side) would submit that now the investigation is in progress and a final report is yet to be filed.



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5. In view of the above, this Court is inclined to return the vehicle to the petitioner and accordingly, the order passed in Crl.M.P.No.111 of 2025 dated 29.04.2025 by the District Munsif cum Judicial Magistrate, Edappadi, is hereby set aside. The District Munsif cum Judicial Magistrate, Edappadi is directed to return the Tipper Lorry bearing Registration No.TN 28 BJ 7179 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.181 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.

(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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**WEB COPY** 6. Accordingly, the Criminal Revision Case stands allowed.

05.06.2025

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

1.The District Munsif cum Judicial Magistrate, Edappadi

2. The Inspector of Police  
Konganapuram Police Station  
Salem District

3. The Public Prosecutor,  
High Court, Madras.



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**G.K.ILANTHIRAIYAN, J.**

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