



Crl.R.C.No.731 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2025

CORAM:

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

Crl.R.C.No.731 of 2025

Chataram

... Petitioner

Vs

The State rep by
The Sub Inspector of Police,
Natrapalli Police Station,
Tirupathur District.

... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records on the file of the Learned Judicial Magistrate No.III, Tirupathur, Tirupathur District in Crl.M.P.No.14580 of 2023 dated 26.03.2025 and set aside the order.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

This Criminal Revision has been filed as against the order passed in Crl.M.P.No.14580 of 2023 dated 26.03.2025, on the file of the Judicial Magistrate No.III, Tirupathur, Tirupathur District, thereby dismissing the application for return of money of Rs.5,90,000/-.



WEB COPY

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

3. The case of the prosecution is that the petitioner had transported 1200 hans packets (Tobacco) which is banned by the Government of Tamil Nadu and a sum of Rs.5,90,000/- in his car bearing Registration No.TN 02 AU 6540 on 06.08.2023. It was intercepted and the respondent seized the car as well as the cash along with the tobacco packets and deposited before the Trial Court.

4. The learned counsel for the petitioner would submit that the petitioner is an accused. According to the petitioner, the petitioner is a retail seller of chappals. In order to purchase the chappals, he carried money to the tune of Rs.5,90,000/- in his car and it was waylaid by the respondent and a case has been registered. He further submitted that as far as the car is concerned, the Trial Court returned the same and dismissed the application for return of cash.

5. The learned Government Advocate (Crl.side) submitted that the said cash is nothing but from sale proceeds and it is relevant to prove the case of the prosecution.



Crl.R.C.No.731 of 2025

WEB COPY

6. A perusal of records revealed that the case was registered in the year 2023. Even after completion of nearly two years, the respondent did not even complete the investigation and file a final report so far. The Trial Court had returned the car and dismissed the application to return the cash. Further, the prosecution also failed to show that the cash of Rs.5,90,000/- is from the sale proceeds of tobacco products.

7. Therefore, no purpose would be served merely keeping the money under the custody of the Trial Court. Accordingly, the order passed in Crl.M.P.No.14580 of 2023 dated 26.03.2025, on the file of the Judicial Magistrate No.III, Tirupathur, Tirupathur District, is hereby set aside and this Court is inclined to return the cash to a sum of Rs.5,90,000/-, to the petitioner, on condition that the petitioner shall deposit the original title deed stands in the name of the petitioner or in name of his friends or relatives (not less than Rs.5,00,000/-) along with the valuation certificate obtained from the authority concerned to the credit of the Crime No.370 of 2023 on the file of the Judicial Magistrate No.III, Tirupathur, Tirupathur District, forthwith.

8. Accordingly, the Criminal Revision Case stands allowed.



Crl.R.C.No.731 of 2025

WEB COPY

12.06.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn



WEB COPY



Crl.R.C.No.731 of 2025

To

1. The Judicial Magistrate No.III,
Tirupathur, Tirupathur District.
2. The Sub Inspector of Police,
Natrampalli Police Station,
Tirupathur District.
3. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.R.C.No.731 of 2025

G.K.ILANTHIRAIYAN. J.

mn

Crl.R.C.No.731 of 2025

12.06.2025