



Crl.R.C.No.824 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2025

CORAM:

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

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Selvi

..... Petitioner

Vs

State rep. by
The Inspector of Police,
Amaravathi Police Station,
Tiruppur District.
Crime No.22 of 2024.

..... Respondent

PRAYER: Criminal Revision Case is filed under Sections 438 r/w 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order passed in Crl.M.P.No.623 of 2024 on the file of the learned Judicial Magistrate Court-I, Udumalpet (FAC), Tiruppur, dated 21.03.2024.

For Petitioner : Mr.M.N.Balakrishnan
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Revision has been filed challenging the order dated 21.03.2024 passed in Crl.M.P.No.623 of 2024 on the file of the Judicial Magistrate No.I, Udumalpet (FAC) Tiruppur District, thereby dismissing the petition seeking return of vehicle, viz., Tipper Lorry



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2. The petitioner owned a Tipper Lorry bearing Registration No.TN-P-4456, which was used for transporting two units of rough stone from the patta land. However, the respondent Police registered an FIR in Crime No.22 of 2024 for the offences punishable under Section 379 of IPC r/w 21(1) of Mines & Minerals (Development and Regulation) Act, 1957. Pursuant to the registration of the FIR, the said vehicle was seized and produced before the Trial Court. Thereafter, the petitioner filed a petition seeking return of the vehicle, which was dismissed by the Trial Court.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. It is seen from the records that the petitioner is arrayed an accused in this case. The petitioner filed an application seeking return of the vehicle and the same was dismissed by the Trial Court. Admittedly, the petitioner had transported rough stones weighing two units from the patta land. However, the Trial Court, without considering the same, dismissed the application.

5. In view of the above, this Court is inclined to return the vehicle



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to the petitioner and accordingly, the order 21.03.2024 passed in

WEB Crl.M.P.No.623 of 2024 on the file of the Judicial Magistrate No.I, Udumalpet

(FAC) Tiruppur District, is hereby set aside. The Judicial Magistrate No.I,

Udumalpet (FAC) Tiruppur District, is directed to return the vehicle viz., Tipper

Lorry bearing Registration No.TN-P-4456, to the petitioner, forthwith on the

following conditions:-

(i) the petitioner is directed to execute an 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.22 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



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automatically stands cancelled.

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Accordingly, the Criminal Revision Case stands allowed.

19.06.2025

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

To

1. The Judicial Magistrate Court-I, Udumalpet (FAC),
Tiruppur

2. The Inspector of Police,
Amaravathi Police Station,
Tiruppur District.

3. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.

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