



CrI.R.C.No. 727 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2025

CORAM:

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

CrI.R.C.No. 727 of 2025

S.Sundar

... Petitioner

Vs

The State by Inspector of Police,
Edappadi Police Station,
Salem District.
Crime No.224 of 2025.

... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 r/w 447 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 04.06.2025 made in C.M.P.No.159 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 (CrI. Side)

ORDER

This Criminal Revision Case has been filed challenging the order dated 04.06.2025 passed in C.M.P.No.159 of 2025 on the file of the District Munsif-cum-Judicial Magistrate, Edappadi, thereby dismissing the petition filed for return of vehicle viz., Ashok Leyland Tipper



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bearing Registration No. TN-30-BW-4386 (Engine No.FSEZ428920 and

Chassis No.MB1G3CFDOFEGT8645).

2. The petitioner/A2 was involved in the illegal transportation of three units of gravel sand, without any valid permission.

3. Based on the complaint, an FIR was registered in Crime No.224 of 2025 for the offences punishable under Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 and Section 303(2) of the Bharatiya Nyaya Sanhita, 2023. Pursuant to the registration of the FIR, the said vehicle was seized and the same was produced before the District Munsif-cum-Judicial Magistrate, 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 A2 in Crime No.224 of 2025. The petitioner filed a petition seeking return of the seized vehicle, which was dismissed by the Trial Court. Admittedly, the petitioner transported three units of gravel sand from the patta land. However,



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without considering the same, the Trial Court dismissed the petition for return

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6. In view of the above discussions, this Court is inclined to return the vehicle to the petitioner and accordingly, the order dated 04.06.2025 passed in C.M.P.No.159 of 2024 on the file of the District Munsif-cum-Judicial Magistrate, Edappadi, is hereby set aside. The learned District Munsif-cum-Judicial Magistrate, Edappadi, is directed to return the Ashok Leyland Tipper bearing Registration No. TN-30-BW-4386 (Engine No.FSEZ428920 and Chassis No.MB1G3CFDOFEGT8645) 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.224 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.



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(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.

7. Accordingly, the Criminal Revision Case stands allowed.

13.06.2025

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,
Edappadi Police Station,
Salem District.

3. The Public Prosecutor,
High Court, Madras.



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