

Crl.R.C.No.905 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2025

CORAM:

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

Crl.R.C.No.905 of 2025

K.A.Raja

..... Petitioner

Vs

State represented by
The Inspector of Police
Bagayam Police Station
Vellore
crime No.285 of 2023

..... Respondent

PRAYER:

Criminal Revision Case is filed under Section 438 r/w 442 of BNSS, 2023, praying to set aside the order passed in Crl.MP.No.3276 of 2025 dated 19.03.2025 on the file of the Judicial Magistrate No.I, Vellore by allowing this revision.

For Petitioner : Mr.B.S.Manikandan

For Respondent : Mr.A.Gopinath,
Government Advocate(crl.side)

ORDER

This Criminal Revision Case has been filed against the order passed in Crl.MP.No.3276 of 2025 dated 19.03.2025 on the file of the Judicial Magistrate No.I, Vellore, thereby dismissed the petition filed for seeking to



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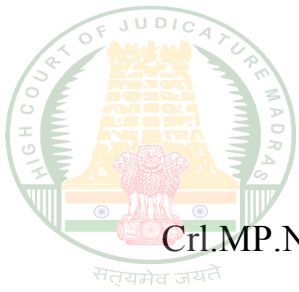
return the petitioner's property.

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2. The petitioner owns the vehicle-Tipper Lorry (Model Name: COMET CT1613/1) bearing registration No.TN 54 P 4513, Engine No.DNH554607, Chassis No.ZNE666176). The said vehicle was involved in transportation of two units of ordinary sand without licence or permission. In pursuant to the same, the respondent seized the vehicle and registered FIR in crime No.285 of 2023 for the offence punishable under Sections 379 & 430 of IPC, wherein the petitioner is arrayed as an accused. The vehicle was produced by the respondent before the trial court. Therefore, the petitioner, being the owner of the vehicle, filed a petition to return the vehicle. However, it was dismissed stating that there would be a chance for non production of vehicle before this Court during trial.

3. Heard, the learned counsel appearing on either said and perused, all the materials placed before this Court.

4. On perusal of records, it is revealed that admittedly the petitioner transported sand weighing two units from a private land. Therefore, this Court is inclined to return the vehicle to the petitioner. Accordingly, the order passed in



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Crl.MP.No.3276 of 2025 dated 19.03.2025 on the file of the Judicial Magistrate

WEB COPY No.I, Vellore, is hereby set aside. The Judicial Magistrate No.I, Vellore, is

directed to return the vehicle-Tipper Lorry (Model Name: COMET CT1613/1) bearing registration No.TN 54 P 4513, Engine No.DNH554607, Chassis No.ZNE666176), 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.285 of 2023 pending on the file of the respondent police.

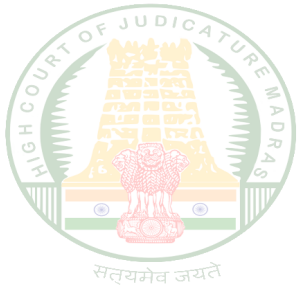
(ii) the petitioner shall deposit the original registration certificate of the vehicle with the concerned Magistrate.

(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.

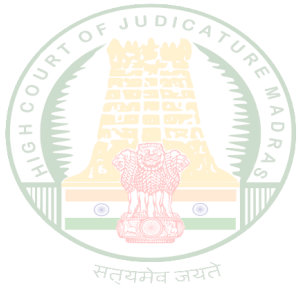


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WEB COPY 5. Accordingly, the Criminal Revision Case stands allowed.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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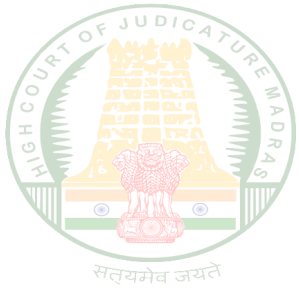
To
1.The Judicial Magistrate No.I, Vellore

2.The Inspector of Police
Bagayam Police Station
Vellore

3. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.

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