



Crl.R.C.No.837 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : **20.06.2025**

CORAM:

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

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Sathya

... Petitioner

Versus

State rep by
Inspector of Police,
Sathuvachari Police Station,
Vellore District.
(Crime.No. 231 of 2023)

... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of B.N.S.S, to set aside the order dated 17.03.2025 made in Crl.M.P.No. 100 of 2025 on the file of Special Judge for EC/NDPS Act Cases, Salem, Salem District and to allow the above Criminal Revision Petition.

For Petitioner : Mr.G.Vinodhkumar

For Respondent : Mr.A.Gopinath
Government Advocate(Crl. Side)

ORDER

This Criminal Revision Case has been filed as against the order dated 17.03.2025 made in Crl.M.P.No.100 of 2025 on the file of Special Judge for EC/NDPS Act Cases, Salem, dismissing the petition for return of the property,



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viz., two-wheeler Honda Ainvator bearing Registration No.TN-23-CP-9253.

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

3. The brief facts of the case is that on 22.08.2023, the respondent Police had conducted surveillance at VOC Nagar and found the petitioner and her husband in possession of 1.750 kgs of Ganja in their motorcycle.

4. After seizing of the contraband and the vehicle, the respondent registered the First Information Report in Crime No.231 of 2023 for the offence under Section 8(c), 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances (NDPS), Act, 1985, and produced the seized contraband and the vehicle before the Trial Court.

5. The petitioner, being the owner of the two-wheeler, filed a petition in Crl.M.P.No.100 of 2025 under Section 451 of Cr.P.C., for return of the vehicle pending investigation. However, the Trial Court dismissed the petition on 17.03.2025, stating that the confiscation proceedings are under progress, and the vehicle is involved in an offence of NDPS case, which is commercial in



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quantity. The respondent ought to have confiscate the vehicle. At this stage,

there is no question of return of vehicle, and therefore, the Trial Court rightly

dismissed the petition filed by the petitioner for return of vehicle.

6. In view of the above, this Court finds no infirmity or illegality on the order dated 17.03.2025 in Crl.M.P.No.100 of 2025 passed by the learned Special Judge for EC/NDPS Act Cases, Salem, Salem District. Accordingly, this Criminal Revision Case stands dismissed.

20.06.2025

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

klt

To

- 1.The Special Court for EC/NDPS Act Cases, Salem, Salem District.
2. The Inspector of Police, Sathuvachari Police Station, Vellore District. (Crime.No. 231 of 2023)
3. The Public Prosecutor, High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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