



Crl.R.C.No.851 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: **20.06.2025**

CORAM:

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

Crl.R.C.No.851 of 2025

R. Nandhini

... Petitioner

Versus

State by
The Inspector of Police,
K8 Arumbakkam Police Station,
Chennai.
(Crime No.441 of 2025)

...Respondent

Prayer: Criminal Revision Case filed under Section 438 r/w Section 442 of the Bharatiya Nagarik Suraksha Sanhita, (B.N.S.S), 2023, to call for the records pertains to the order dated 06.06.2025 made in Crl.M.P.No.2696 of 2025 on the file of the Principal Special Court under EC & NDPS Act at Chennai and set aside the same and direct the respondent police to return the bike to the petitioner.

For Petitioner : Mr. N. Mohanapriya

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



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ORDER

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This Criminal Revision Case has been preferred as against the order dated 06.06.2025 passed in Crl.M.P.No.2696 of 2025 on the file of the learned Principal Special Court under EC Act and NDPS Act, Chennai, dismissing the petition filed by the petitioner seeking for return of the vehicle.

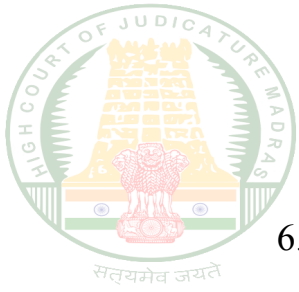
2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent and also perused the materials available on record.

3. The petitioner is the owner of the two-wheeler bearing registration No.TN-18 - BA - 2514. On receipt of information, the respondent formed a special team and went to the place of crime. On 20.10.2024 at 18:05 hours, as identified by the informant, the respondent made a search on the accused, who was riding the said two-wheeler owned by the petitioner, and found 11.59 gms of Methamphetamine. Thereafter, the respondent found 1 kg of Methamphetamine, which is commercial in quantity and also found in possession of 10 gms of Ganja in the said motorcycle.



WEB COPY4. Pursuant to the seizure of the contrabands, the respondent registered the First Information Report in Crime No.441 of 2024 for the offences punishable under Sections 8(c) r/w 22(b) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS) Act. The offences were later altered to Sections 8(c) r/w 22(b), 29(1) and 20(b)(ii)(A) of the NDPS Act, and subsequently, to Sections 8(c) r/w 22(b), 22(c), 29(1), 25 and 20(b)(ii)(A) of the NDPS Act.

5. After registering the First Information Report and the seized contrabands as well as the two-wheeler were produced before the Trial Court. Although the petitioner is not an accused, she filed a petition for return of the vehicle as the owner of the two-wheeler. However, the Trial Court dismissed the petition, stating that the two-wheeler is under the custody of NDPS case, and was confiscated by the respondent in the manner known to law. At this stage, the question of return of vehicle does not arise.



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6. Therefore, this Court finds no infirmity or illegality in the order dated 06.06.2025 in Crl.M.P.No.2696 of 2025 passed by the learned Principal Special Judge, Special Court under EC & NDPS Act at Chennai, and the same is hereby confirmed.

7. Accordingly, the Criminal Revision Case is dismissed.

20.06.2025

Index: Yes/No
Speaking / Non Speaking Order
Neutral Case Citation : Yes/No

klt

To

- 1.The Principal Special Court under EC & NDPS Act at Chennai,
- 2.The Inspector of Police,
K8 Arumbakkam Police Station, Chennai.
(Crime No.441 of 2025)
- 3.The Public Prosecutor, High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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