



CrI.R.C.No. 865 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2025

CORAM:

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

CrI.R.C.No. 865 of 2025

Naresh Babu

..... Petitioner

Vs

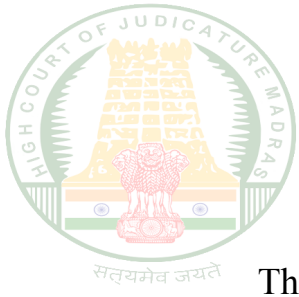
The State rep. by the
Inspector of Police,
Natrampalli Police Station,
Tirupattur District.
Crime No.427 of 2024

..... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 05.06.2025 made in CrI.M.P.No.9840 of 2025 on the file of the learned Magistrate Court No.III, Tirupattur and grant interim custody of the Hyundai Verna Car vehicle bearing registration No.TN-10-AQ-0456, Engine No.D45BDU344554 and the chassis No.MALCU41ULEM173474, by allowing this Criminal Revision Petition.

For Petitioner : Mr.C.Harish

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



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ORDER

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This Criminal Revision Case has been filed challenging the order dated 05.06.2025 passed in CrI.M.P.No.9840 of 2025 by the Judicial Magistrate No.III, Tirupattur, thereby dismissing the petition filed for return of vehicle viz., Hyundai Verna White Colour Car bearing Registration No.TN-10-AQ-0456.

2. The petitioner owned a Car bearing Registration No.TN-10-AQ-0456.

It is the case of the prosecution is that the petitioner received a sum of Rs.4,00,000/- from the defacto complainant in order to get a loan for huge amount. However, the petitioner failed to obtain any loan and also refused to return the amount to the defacto complainant. Based on the complaint, an FIR was registered and the car owned by the petitioner was seized by the respondent.

3. During the course of investigation, it was found that the said vehicle, originally registered in No.TN-10-AQ-0456 with Engine No.D45FBDU344554 and Chassis No.MALCU41ULEM173474, was being used with a fake registration number, viz., TN-37-CC-7728. The reason for the petitioner operating the vehicle with a fake registration number is under investigation.



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4. The learned counsel for the petitioner submitted that the petitioner is the rightful owner of the said vehicle and undertakes to produce the vehicle before the Court or Investigating Officer as and when required, and that the continued retention of the vehicle will result in deterioration and depreciation of its condition.

5. The learned Government Advocate (CrI.Side) objected the return of the vehicle on the ground that the vehicle was used with a fake registration number and that investigation is pending.

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

6. Considering the facts and circumstances of the case, this Court is of the opinion that interim custody of the vehicle can be granted to the petitioner, subject to proper conditions to ensure its availability for further investigation or trial. Accordingly, the order dated 05.06.2025 passed in CrI.M.P.No.9840 of 2025 on the file of the Judicial Magistrate No.III, Tirupattur, is hereby set aside. The learned Judicial Magistrate No.III, Tirupattur, is directed to return the car, viz., Hyundai Verna White Colour Car



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bearing Registration No.TN-10-AQ-0456, to the petitioner, forthwith on the

WEB following conditions:-

(i) the petitioner is directed to execute a personal 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.427 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 automatically stands cancelled.

7. Accordingly, the Criminal Revision Case stands allowed. However, the respondent is directed to investigate in this aspect and file final report within a period of twelve weeks from the date of receipt of a copy of this order.

23.06.2025



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Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order

Lpp

To

1. The Judicial Magistrate No.III,
Tirupattur.

2. The Inspector of Police,
Natrampalli Police Station,
Tirupattur District.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.
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