



Crl.RC.No.1005 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED:08.07.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.RC.No.1005 of 2025

Srinivasan
S/o. Sekar,
No.5/50/1, Tank Street,
Ullipudhur, Kandhipedu,
Katpadi, Vellore,
Tamil Nadu – 632 106.

...Petitioner

Vs.

The Inspector of Police,
Veppankuppam Police Station,
Vellore District.
(Cr.No.242 of 2021)

... Respondent

PRAYER: Criminal Revision Petition filed under Section 438 r/w. 442 of BNSS, 2023, to call for the records and set aside the order passed in Crl.M.P.No.3823 of 2025 on the file of the Judicial Magistrate – III, Vellore District dated on 20.03.2025 and direct the respondent to return of my vehicle bearing registration, TN-23-CM-8691, BAJAJ Pulsar 220 DTS-I F, colour EBONY BLK BLUE DKL, seized by the respondent connected with the Crime No.242 of 2021 (on the file of the respondent).



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Crl.RC.No.1005 of 2025

For Petitioner : Ms.G.Gayathri

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

This Criminal Revision has been filed as against the order dated 20.03.2025 made in Crl.M.P.No.3823 of 2025 on the file of the Judicial Magistrate – III, Vellore District, thereby dismissing the petition to return the property.

2. Heard both sides and perused the materials available on record.

3. The petitioner owned the vehicle *BAJAJ Pulsar 220 DTS-I F*, colour *EBONY BLK BLUE DKL* bearing registration, TN-23-CM-8691. The *de facto* complainant lodged a complaint alleging that on 25.08.2021 the petitioner and other accused persons have threatened him and kidnapped in a car. On the complaint by the *de facto* complainant, the respondent registered a FIR in Cr.No.38 of 2025 for the offences under Sections 147, 148, 365, 368, 364A, 341, 323 & 307 IPC, alleging that the petitioner and other accused involved in kidnapping the *de facto* complainant.



Crl.RC.No.1005 of 2025

4. On perusal of the records it is revealed that the petitioner owned the vehicle *BAJAJ Pulsar 220 DTS-I F*, colour *EBONY BLK BLUE DKL* bearing registration, TN-23-CM-8691 and it was not involved in the alleged crime even according to the case of the prosecution. Hence, the said vehicle has got nothing to do with the alleged crime. That apart, investigation in this case has been completed and final report has also been filed and the case is pending for taking cognizance by the trial Court.

5. In view of the above discussions, this Court is inclined to return the vehicle to the petitioner and accordingly, the order dated 26.05.2025 passed by the learned Judicial Magistrate – III, Vellore District in Crl.M.P.No.3823 of 2025 in Crime No.242 of 2025, is hereby set aside. The learned Judicial Magistrate – III, Vellore District, is directed to return the vehicle *BAJAJ Pulsar 220 DTS-I F*, colour *EBONY BLK BLUE DKL* bearing registration, TN-23-CM-8691, to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute an own bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the satisfaction of the Judicial Magistrate – III, Vellore District, to the credit of Crime No.242 of 2021 pending on the file of the respondent police.



Crl.RC.No.1005 of 2025

(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.

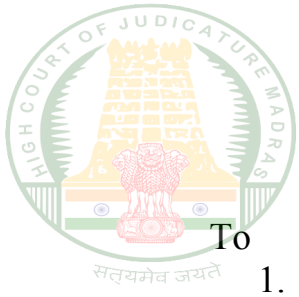
(v) the petitioner shall produce the vehicle before the Court and before the respondent police as and when required;

(vi) If any of the conditions are violated, this order automatically stands cancelled.

6. Accordingly, the Criminal Revision Case stands allowed.

08.07.2025

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



Crl.RC.No.1005 of 2025

To

1. The Judicial Magistrate – III, Vellore District
2. The Inspector of Police,
Veppankuppam Police Station,
Vellore District.
3. The Public Prosecutor
High Court, Madras.

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Crl.RC.No.1005 of 2025

G.K.ILANTHIRAIYAN, J.

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Crl.RC.No.1005 of 2025

08.07.2025