



*Crl.R.C.No.917 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2025

CORAM:

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

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Mythies

..... Petitioner

Vs

The State represented by  
The Inspector of Police  
B-1, North Beach Police Station  
Chennai

..... 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.2615 of 2025 dated 02.06.2025 on the file of Special Court under EC/NDPS Act Cases, Chennai and direct the respondent to release the vehicle bearing Regn.No.TN-18-BQ-1963, FIRE RED COLOUR, Chassis No.MBHCZCB3SPJD18433, Engine / Motor No.K12NP1500759 SWIFT VXI AGS which was seized in connection with the CC.No.621 of 2024 in crime No.37 of 2024 on the file of the respondent police to the petitioner.

For Petitioner : Mr.J.Prakash

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



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## **ORDER**

This Criminal Revision Case has been filed against the order passed in Crl.MP.No.2615 of 2025 dated 02.06.2025 on the file of Special Court under EC/NDPS Act Cases, Chennai, thereby dismissed the petition filed seeking for return of petitioner's property.

2. The petitioner owns the vehicle bearing Regn.No.TN-18-BQ-1963, FIRE RED COLOUR, Chassis No.MBHCZCB3SPJD18433, Engine / Motor No.K12NP1500759 SWIFT VXI AGS. On 06.02.2024, when the respondent was in routine vehicle check-up near Mookar Nallamuthu Street near Chennai Palace Hotel, Chennai, they found three person sitting in the said car in a suspicious manner. Thereafter, they conducted enquiry with them and found that they were in possession of 13 grams of methamphetamine. Hence, it was seized and FIR was registered in crime No.37 of 2024 for the offences punishable under Sections 8(c) r/w 22(b) and 3 29(1) of NDPS Act. In pursuant to the registration of FIR, the vehicle was also seized by the respondent and produced before the trial court. Therefore, the petitioner, being the owner of the vehicle, filed petition to return the vehicle. However, it was dismissed stating that since the petitioner's vehicle involved in the case and as such, it has to be confiscated under Section 63 of NDPS Act.



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

4. On perusal of records, it is revealed that admittedly the contraband was seized from an accused's pocket and the car was not used for purchase or selling the contraband. Therefore, this Court is inclined to return the vehicle to the petitioner. Accordingly, the order passed in Crl.MP.No.2615 of 2025 dated 02.06.2025 on the file of Special Court under EC/NDPS Act Cases, Chennai, is hereby set aside. The Special Court under EC/NDPS Act Cases, Chennai, is directed to return the vehicle bearing Regn.No.TN-18-BQ-1963, FIRE RED COLOUR, Chassis No.MBHCZCB3SPJD18433, Engine / Motor No.K12NP1500759 SWIFT VXI AGS, 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.37 of 2024 pending on the file of the respondent police.

(ii) the petitioner shall deposit the original registration certificate of the



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vehicle with the concerned Magistrate.

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(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.

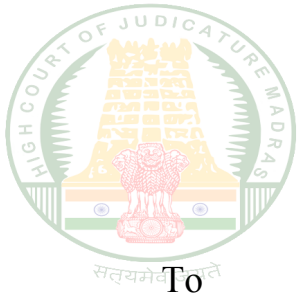
(v) the petitioner shall produce the vehicle before the Court and before the respondent police as and when required;

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

5. Accordingly, the Criminal Revision Case stands allowed.

27.06.2025

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



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To

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1.The Special Court under EC/NDPS Act Cases, Chennai

2.The Inspector of Police  
B-1, North Beach Police Station  
Chennai

3. The Public Prosecutor,  
High Court, Madras.

**G.K.ILANTHIRAIYAN, J.**



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