



Crl.R.C.No. 1086 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2025

CORAM:

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

Crl.R.C.No. 1086 of 2025

Khangara Ram

..... Petitioner

Vs

State Rep by
Inspector of Police,
Chengam Police Station,
Thiruvannamalai District.

..... Respondent

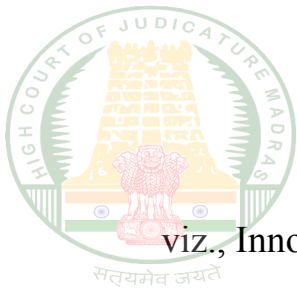
PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order passed in Crl.M.P.No.185 of 2025 dated 13.03.2025 on the file before the Judicial Magistrate Court, Chengam and to direct the court below to return the property in Crime No.889 of 2023 on the file of respondent.

For Petitioner : Mr.M.P.Saravanan

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

ORDER

This Criminal Revision Case has been filed challenging the order dated 13.03.2025 passed in Crl.M.P.No.185 of 2025 on the file of the Judicial Magistrate, Chengam, thereby dismissing the petition filed for return of vehicle,



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viz., Innova Crysta Car bearing Registration No.GJ-08-BB-2874.

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

3. The petitioner owned an Innova Crysta Car bearing Registration No.GJ-08-BB-2874, which was allegedly used for transportation of banned tobacco products weighing 181.51 kgs. Consequently, the respondent registered an FIR in Crime No.889 of 2023. Pursuant to the registration of the FIR, the vehicle along with the tobacco products, was seized by the respondent and produced before the Trial Court. The petitioner, being the owner of the vehicle, filed a petition seeking return of the vehicle. However, the Trial Court dismissed the petition on the ground that the vehicle was used for transportation of banned tobacco products. The Trial Court also observed that in order to curb the transportation of contrabands, the vehicle was rightly seized by the respondent. It is pertinent to note that the investigation in Crime No.889 of 2023 is still pending and as of now, the petitioner has not been arrayed as an accused in the said crime.

4. Considering the facts and circumstances of the case, this Court



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is inclined to order return of the vehicle to the petitioner and accordingly, the

WEB COPY order dated 13.03.2025 passed in Crl.M.P.No.185 of 2025 on the file of the

Judicial Magistrate, Chengam, is hereby set aside. The learned Judicial Magistrate, Chengam, is directed to return the Innova Crysta Car bearing Registration No.GJ-08-BB-2874, to the petitioner, forthwith subject to the following conditions:-

(i) the petitioner is directed to execute a bond for a sum of Rs.2,00,000/- (Rupees two lakhs only) with two solvency sureties each for the likesum to the satisfaction of the concerned Magistrate to the credit of Crime No.889 of 2023 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.

5. Accordingly, the Criminal Revision Case stands allowed.



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

To

1. The Judicial Magistrate,
Chengam.

2. The Inspector of Police,
Chengam Police Station,
Thiruvannamalai District.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.
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