



Crl.R.C.No.975 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2025

CORAM:

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

Crl.R.C.No.975 of 2025

Babu

..... Petitioner

Vs.

State by
The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District
(crime no.383 of 2025)

..... Respondent

PRAYER:

Criminal Revision Case is filed under Section 438 r/w 442 of BNSS,
praying to allow the criminal revision petition and set aside the order dated
24.06.2025 passed in Crl.MP.No.1707 of 2025 by the learned Judicial
Magistrate No.II, Chengalpattu.

For Petitioner : Mr.M.Vijaya Ragavan

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



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ORDER

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This criminal revision case has been filed against the order dated 24.06.2025 passed in Crl.MP.No.1707 of 2025 by the learned Judicial Magistrate No.II, Chengalpattu, thereby the petition filed seeking to return the petitioner's property was dismissed.

2. Heard, the learned counsel appearing on either side.

3. The petitioner owns a vehicle-JCB Backhoe Loader bearing registration No.TN 19 BR 2183. The said vehicle was used in mining river sand. That apart, the river sand was dumped to a height of five feet in a land of 20 cents by using this vehicle. In pursuant to the same, the respondent registered FIR in crime No.383 of 2025 for the offence punishable under Section 305(e) of BNS, 21(1) of Mines and Minerals (Development & Regulation) Act. In pursuant to the registration of FIR, the vehicle was seized and produced before the magistrate court concerned. The petitioner, being the owner of the vehicle, filed a petition to return the vehicle.

4. Though the petitioner is not an accused, the vehicle owned by the petitioner was rented to mine river sand. Therefore, the vehicle shall have to be



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confiscated in the manner known to law. Accordingly, the trial court rightly

dismissed the aforesaid petition and this Court finds no infirmity or illegality in the impugned order. As such, this criminal revision case is liable to be dismissed.

5. Accordingly, this criminal revision case is dismissed.

04.07.2025

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

G.K.ILANTHIRAIYAN, J.



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To

1.The learned Judicial Magistrate No.II, Chengalpattu.

2.The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District

3.The Public Prosecutor,
High Court of Madras

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