



Crl.R.C.No. 1081 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. 1081 of 2025

Sankar

.... Petitioner

Vs

The State Rep by its
The Station House Officer,
Aaladi Police Station,
Cuddalore District.
Crime No.836 of 2020

.... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order passed by the learned Principal District Sessions Judge, Cuddalore, Cuddalore in Criminal Miscellaneous Petition No. in Crl.M.P.No.2356 of 2024 in Crl.M.P.No.2434 of 2020 in S.C.No.5 of 2023 by ordered dated 04.06.2025 and allow the Criminal Revision Petition and subsequently grant custody of vehicle Ashok Leyland Tipper Lorry registration bearing No.TN-56-J-7212 to the petitioner.

For Petitioner : Mr.S.Saravana Kumar

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 challenging the order dated 04.06.2025 passed in Crl.M.P.No.2356 of 2024 in Crl.M.P.No.2434 of 2020 in S.C.No.5 of 2023, on the file of the Principal District Sessions Judge, Cuddalore, thereby dismissing the petition filed for return of the vehicle viz., Ashok Leyland Tipper Lorry bearing registration No. TN-56-J-7212.

2. The petitioner is the owner of an Ashok Leyland Tipper Lorry bearing registration No.TN-56-J-7212, which was allegedly used for the illegal transportation of two units of pebble stone from private land. Based on the complaint, an FIR was registered in Crime No.836 of 2020 for the offences punishable under Sections 379 & 430 of IPC and Section 21(1) of Mines & Minerals (Development and Regulation) Act, 1957. Pursuant to the registration of the FIR, the vehicle was seized and produced before the Trial Court. Thereafter, the petitioner filed a petition seeking return of the said vehicle, which was dismissed by the Trial Court. Aggrieved by the same, the present criminal revision petition has been filed.

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



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4. It is seen from the records that the petitioner is not an accused in this case. Admittedly, the petitioner's vehicle was used for transportation of two units of pebble stone, that too from private land. However, the Trial Court, without considering the same, dismissed the application seeking return of the vehicle.

5. In view of the above, this Court is inclined to order the return of the vehicle to the petitioner. Accordingly, the order dated 04.06.2025 passed in Crl.M.P.No.2356 of 2024 in Crl.M.P.No.2434 of 2020 in S.C.No.5 of 2023 on the file of the Principal District Sessions Judge, Cuddalore, is hereby set aside. The Principal District Sessions Judge, Cuddalore, is directed to return the vehicle viz., Ashok Leyland Tipper Lorry bearing registration No.TN-56-J-7212, to the petitioner, forthwith on the 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 Court to the credit of Crime No.836 of 2020 pending on the file of the respondent police.

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

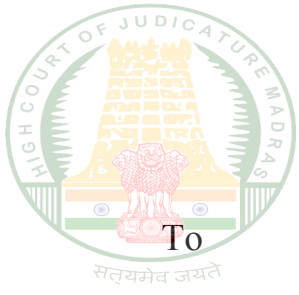
(v) the petitioner shall produce the vehicle before the Court and before the respondent police as and when required;

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

6. Accordingly, the Criminal Revision Case stands allowed.

15.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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1. The Principal District Sessions Judge,
Cuddalore.

2. The Station House Officer,
Aaladi Police Station,
Cuddalore District.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.
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