



Crl.R.C.No.988 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2025

CORAM:

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

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P.Raja

..... Petitioner

Vs

The State by Inspector of Police
Poolampatti Police Station,
Salem District.
Crime No.25 of 2025

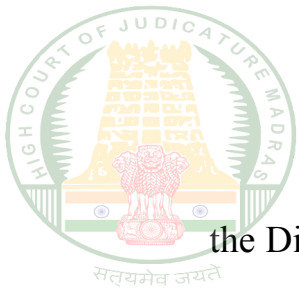
..... Respondent

PRAYER: Criminal Revision Case is filed under Sections 438 r/w 442 of the BNSS, 2023 to set aside the order dated 26.06.2025 made in C.M.P.No.217 of 2025 on the file of the District Munsif Cum Judicial Magistrate, Edappadi by allowing this Criminal Revision Petition.

For Petitioner : Mr.A.Saravanan
For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.side)

ORDER

This Criminal Revision Case has been preferred as against the order passed in Crl.M.P.No.217 of 2025 dated 26.06.2025 on the file of



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the District Munsif Cum Judicial Magistrate, Edappadi thereby dismissed the petition seeking return of vehicle viz., Ashok Leyland Tipper bearing Registration No. TN 32 H 5537 and TN 22 CA 4745.

2. The petitioner/A2 is the owner of the Ashok Leyland Tippers bearing registration number TN 32 H 5537 and TN 22 CA 4745. Both the vehicles were involved in illegal transportation of three units of gravel sand from the private land.

3. Based on the complaint, an FIR was registered in Crime No.25 of 2025 for the alleged offences punishable under Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 and Section 303(2) of the Bharatiya Nyaya Sanhita, 2023. Pursuant to the registration of the FIR, the said vehicles were seized and the same were produced before the District Munsif-cum-Judicial Magistrate, Edappadi.

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



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5. It is seen from the records that the petitioner is the accused in Crime No.25 of 2025. The petitioner filed a petition seeking return of the seized vehicles, which was dismissed by the Trial Court. Admittedly, the petitioner transported three units of gravel sand from the patta land. However, without considering the same, the Trial Court dismissed the petition for return of the vehicle.

6. In view of the above discussions, this Court is inclined to return the vehicles to the petitioner and accordingly, the order dated 26.06.2025 passed in C.M.P.No.217 of 2025 on the file of the District Munsif-cum-Judicial Magistrate, Edappadi, is hereby set aside. The learned District Munsif-cum-Judicial Magistrate, Edappadi, is directed to return the Ashok Leyland Tipper bearing Registration No. TN 32 H 5537 and TN 22 CA 4745 to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute an 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.25 of 2025 pending on the file of the respondent police.



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(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.

7. Accordingly, the Criminal Revision Case stands allowed.

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

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1. The District Munsif-cum-Judicial Magistrate,
Edappadi.
- 2.The Inspector of Police
Poolampatti Police Station,
Salem District.
- 3.The Public Prosecutor,
Madras High Court.



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G.K.ILANTHIRAIYAN, J.

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