



*Crl.R.C.No.1364 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2025

CORAM:

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

Crl.R.C.No.1364 of 2025

Maruthamalai

..... Petitioner

Vs

The State rep. by  
The Sub Inspector of Police  
PE-Wing Police Station  
Villupuram  
(crime No.52 of 2025)

..... Respondent

**PRAYER:**

Criminal Revision Case filed under Sections 438 r/w 442 of BNSS, 2023, praying to call for the records and set aside the order passed in Crl.MP.No.610 of 2025 on the file of the Judicial Magistrate No.1, Villupuram dated 12.05.2025 and consequently issue direction to return the two wheeler TN-32-BC-9536.

For Petitioner : Mr.T.Elumalai

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



*Crl.R.C.No.1364 of 2025*

WEB COPY

## **ORDER**

This Criminal Revision Case has been filed against the order passed in Crl.MP.No.610 of 2025 on the file of the Judicial Magistrate No.1, Villupuram dated 12.05.2025, thereby dismissing the petition filed for seeking to return of the petitioner's vehicle- two wheeler bearing Registration No.TN-32-BC-9536 Honda Activa.

2. The petitioner is the owner of the vehicle- two wheeler bearing Registration No.TN-32-BC-9536 Honda Activa. The said vehicle was said to have involved in transportation of 196 bottles of Pondicherry liquor, each containing 90 ml. Therefore, the respondent registered FIR in crime No.52 of 2025 for the offence punishable under Sections 4(1)(a) & 4(1)(i) of Tamil Nadu Prohibition Act r/w Sections 4(1)(C), 4(1)(A) & 14A of Tamil Nadu Prohibition (Amendment) Act, 2024. Pursuant to the registration of FIR, the respondent seized the aforesaid vehicle and produced before the court concerned. Therefore, the petitioner, being the owner of the said vehicle, filed the petition to return the vehicle. However, it was dismissed. Aggrieved by the said order, this criminal revision case has been filed.



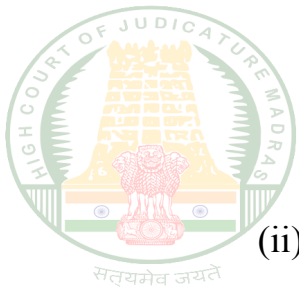
*Crl.R.C.No.1364 of 2025*

WEB COP 3.

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

4. On perusal of records, it is revealed that admittedly the aforesaid vehicle was involved in transportation of Pondicherry liquor and pursuant to registration of FIR, the vehicle was seized. However, if the vehicle is exposed to sun and rain, the value of the same will be diminished and no purpose would be served. Considering the same, this Court is inclined to return the aforesaid vehicle to the petitioner on certain conditions. Accordingly, the impugned order passed in Crl.MP.No.610 of 2025 on the file of the Judicial Magistrate No.1, Villupuram dated 12.05.2025, is hereby set aside. The learned Judicial Magistrate No.1, Villupuram, is directed to return the vehicle- two wheeler bearing Registration No.TN-32-BC-9536 Honda Activa to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute a own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the concerned Magistrate to the credit of crime No.52 of 2025 pending on the file of the respondent police.



*Crl.R.C.No.1364 of 2025*

(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.

11.08.2025

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



*Crl.R.C.No.1364 of 2025*

WEB COPY

To

1.The learned Judicial Magistrate No.1, Villupuram

2.The Sub Inspector of Police  
PE-Wing Police Station  
Villupuram

3. The Public Prosecutor,  
High Court, Madras.



WEB COPY



*Crl.R.C.No.1364 of 2025*

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

lok

Crl.R.C.No.1364 of 2025

11.08.2025