



*Crl.R.C.No. 1198 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2025

CORAM:

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

Crl.R.C.No. 1198 of 2025

Sathish

..... Petitioner

Vs

State Rep by its  
Inspector of Police,  
Adhamangalam Pudhur Police Station,  
Adhamangalam Pudhur.  
(Crime No.25 of 2025)

..... 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 by the learned District Munsif-cum-Judicial Magistrate, Kalsapakkam in Crl.M.P.No.470 of 2025 dated 02.05.2025 and direct the respondent police to return the seized Honda Deo Bike vehicles in respect of Crime No.25 of 2025 to the petitioner.

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

**ORDER**

This Criminal Revision Case has been filed challenging the order dated 02.05.2025 passed in Crl.M.P.No.470 of 2025 by the District Munsif-cum-Judicial Magistrate, Kalsapakkam, thereby dismissing the



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petition filed for return of vehicle, viz., Honda Deo Bike bearing

Registration No.TN-25-BQ-2138.

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

3. The petitioner owned a two-wheeler viz., Honda Deo Bike bearing Registration No.TN-25-BQ-2138. It is alleged that the said vehicle was used for the illegal transportation of liquor, viz., 63 bottles containing 180 ml each. On search, the petitioner was found in possession of the said liquor bottles in his vehicle and the respondent registered an FIR in Crime No.25 of 2025. Pursuant to the registration of the FIR, the vehicle along with the liquor bottles, 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 confiscation proceedings had also been initiated to confiscate the two-wheeler which was involved in the offence.

4. A perusal of the records reveals that the accused had



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purchased the liquor bottles from a TASMAL shop. Further, it is noted

that the petitioner has not been involved in any similar type of cases.

Therefore, the allegation of illegal transportation of liquor cannot be sustained.

5.. Considering the facts and circumstances of the case, this Court is inclined to order return of the vehicle to the petitioner. Accordingly, the dated 02.05.2025 passed in Crl.M.P.No.470 of 2025 by the District Munsif-cum-Judicial Magistrate, Kalsapakkam, is hereby set aside. The learned District Munsif-cum-Judicial Magistrate, Kalsapakkam, is directed to return the two-wheeler viz., Honda Deo Bike bearing Registration No.TN-25-BQ-2138, to the petitioner, forthwith subject to the following conditions:-

(i) the petitioner is directed to execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the concerned Magistrate in Crime No.25 of 2025 pending on the file of the respondent police.

(ii) the petitioner shall deposit the original



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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  
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1. The District Munsif-cum-Judicial Magistrate,  
Kalsapakkam.

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2. The Inspector of Police,  
Adhamangalam Pudhur Police Station,  
Adhamangalam Pudhur.

3. The Public Prosecutor,  
High Court, Madras.



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

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