



Crl.R.C.No.1428 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2025

CORAM:

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

Crl.R.C.No.1428 of 2024

Hari @ Dhanasekar

... Petitioner

Vs

The State Rep By Its
The Inspector of Police,
Pallikonda Police Station,
Vellore District.

(Cr.No.117 of 2024)

... Respondent

PRAYER: Criminal Revision Case is filed under Section 397 read with 401 of Code of Criminal Procedure, to call for the records in connection with the order passed by Judicial Magistrate No.V, Vellore in CMP.No.8158 of 2024 dated 30.07.2024 and set aside the same and consequently to direct the respondent to return of the vehicle bearing Registration No.TN.23-CP-1722 Tractor (DEUTZ-F) to the petitioner.

For Petitioner : Mr.S.Ramesh

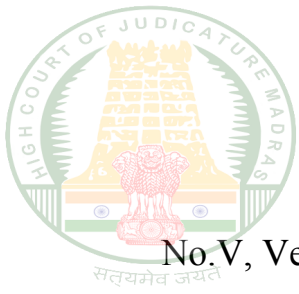
for Mr.T.Saravanan

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

This Criminal Revision has been filed challenging the order dated 30.07.2024 made in Crl.M.P.No.8158 of 2024 passed by the Judicial Magistrate



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No.V, Vellore, thereby dismissing the petition filed for return of property.

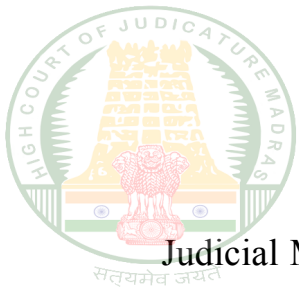
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2. Heard the learned counsel appearing on either side and perused the materials placed on record.

3. The petitioner owned a Tractor (DEUTZ-F) bearing Registration No.TN.23-CP-1722. It was hired by the accused to transport river sand weighing one unit. The accused illegally transported the same without any valid permit and as such, the respondent registered FIR in Crime No.117 of 2024 for the offence punishable under Sections 379 and 430 of IPC.

4. Pursuant to the registration of FIR, the vehicle has been seized and produced before the Court. Though the petitioner is an owner of the vehicle, he has been arrayed as an accused. The petitioner filed a petition for return of property and the same was dismissed.

5. Considering the facts and circumstances of the case and also quantum of sand involved, this Court is inclined to return the vehicle. Accordingly, the order dated 30.07.2024 made in Crl.M.P.No.8158 of 2024 passed by the Judicial Magistrate No.V, Vellore, is hereby set aside. The



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Judicial Magistrate No.V, Vellore, is directed to return the Tractor (DEUTZ-F)

bearing Registration No.TN.23-CP-1722, forthwith on the following conditions:-

(i) the petitioner is directed to execute a own bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the satisfaction of the concerned Magistrate to the credit of Crime No.117 of 2024 pending on the file of the respondent police.

(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.



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6. Accordingly, the Criminal Revision Case stands allowed.

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05.08.2025

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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To

1. The Judicial Magistrate No.V, Vellore.
2. The Inspector of Police,
Pallikonda Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-09-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL RC No. 1428 of 2024

1. Hari @dhanasekar
S/o.Kothandan, No.189, Kadai Street,
Devichettikuppam Post, Anaicut Taluk,
Vellore District.

Petitioner(s)

Vs

1. The State Rep By Its
The Inspector Of Police, Pallikonda
Police Station, Vellore District
Cr.No.117 Of 2024.

Respondent(s)

PRAYER

To call for the records in connection with the order passed by Judicial Magistrate NO.V, Vellore in CMP.No.8158 of 2024 dated 30.07.2024 and set aside the same and consequently to direct the respondent to return of the vehicle bearing Registration No.TN.23-CP-1722 Tractor (DEUTZ-F) to the petitioner.

For Petitioner

Mr.S.Ramesh
for Mr.T.Saravanan



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For Respondent

Mr.A.Gopinath,
Government Advocate (Crl.side)

ORDER

The above matter is listed today under the caption “for being mentioned”. It is clarified that paragraph No.5 (i) of this Court's earlier order dated 05.08.2025 in Crl.R.C.No.1428 of 2024 shall be modified to the following effect:-

“ 5 (i) the petitioner is directed to execute a own bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the satisfaction of the concerned Magistrate in Crime No.117 of 2024 pending on the file of the respondent Police.”

2. Accordingly, the Registry is directed to issue a fresh order copy in Crl.R.C.No.1428 of 2024 dated 05.08.2025 after making necessary corrections.

09-09-2025

Kv



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To

1. The Judicial Magistrate No.V,
Vellore.
2. The Inspector of Police,
Pallikonda Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.



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kv

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