



Crl.R.C.No.1206 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2025

CORAM:

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

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Saravanan

..... Petitioner

Vs

State rep. by its
Inspector of Police
Chengalpattu Tauk Police Station
Chengalpattu District
(crime No.383 of 2025)

..... Respondent

PRAYER:

Criminal Revision Case filed under Section 438 and 442 of BNSS, 2023, praying to call for the records and set aside the order dated 24.06.2025 passed by the learned Judicial Magistrate No.II, Chengalpattu in Crl.MP.No.1709 of 2025 and to return the TATA Signa Open Tipper bearing registration No.TN 19 BX 6226 to the custody of the petitioner.

For Petitioner : Mr.G.Punniakoti

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

ORDER



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This Criminal Revision Case has been filed against the order dated 24.06.2025 passed by the learned Judicial Magistrate No.II, Chengalpattu in Crl.MP.No.1709 of 2025, thereby dismissing the petition filed seeking for return of the petitioner's vehicle-TATA Signa Open Tipper bearing registration No.TN 19 BX 6226.

2. The petitioner is the owner of the vehicle-TATA Signa Open Tipper bearing registration No.TN 19 BX 6226. On 07.06.2025, the aforesaid vehicle is said to have involved in illegal transportation of lake sand. Therefore, the respondent registered FIR in crime No.383 of 2025 under Section 21(1) of Mines and Minerals (Development and Regulation) Act r/w 305(e) of BNS, 2023. 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 stating that the petitioner's vehicle has involved in the aforesaid criminal case and the offence is grave in nature.

3. Heard, the learned counsel appearing on either and perused, all the



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materials placed before this Court.

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4. On perusal of records, it is revealed that admittedly the petitioner's vehicle involved in illegal transportation of lake sand. However, the learned counsel for the petitioner requested that the vehicle may be returned to the petitioner on any condition imposed by this Court. Considering his request, this Court is inclined to return the aforesaid vehicle to the petitioner. Accordingly, the impugned order dated 24.06.2025 passed by the learned Judicial Magistrate No.II, Chengalpattu in Crl.MP.No.1709 of 2025, is hereby set aside. The learned Judicial Magistrate No.II, Chengalpattu, is directed to return the vehicle-TATA Signa Open Tipper bearing registration No.TN 19 BX 6226 to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute a 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. 383 of 2025 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



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herein and a list is to be prepared and the same is to be signed by the petitioner.

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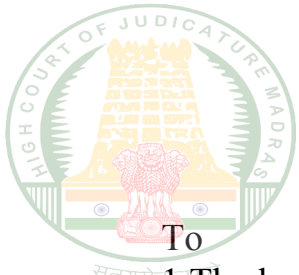
(v) the petitioner shall produce the vehicle before the Court and before the respondent police as and when required;

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

5. Accordingly, the Criminal Revision Case stands allowed.

24.07.2025

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



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To

1.The learned Judicial Magistrate No.II, Chengalpattu

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2.Inspector of Police
Chengalpattu Tauk Police Station
Chengalpattu District

3. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.



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