



Crl.R.C.No.1457 of 2024

Crl.R.C.No.1457 of 2024

G.K.ILANTHIRAIYAN.J

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This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel for the petitioner has brought to the notice of this Court that there is a typographical error, in the 3rd line of Paragraph No.5 (i) of the order dated 05.08.2025 in Crl.R.C.No.1457 of 2024.

3. Considering the submission made by the learned counsel appearing for the petitioner, this petition is clarified and the 3rd line of Paragraph No.5 (i) of the order dated 05.08.2025 in Crl.R.C.No.1457 of 2024 shall read as follows:-

“ (i).to the satisfaction of the concerned Magistrate in Crime No.330 of 2024..... ”

4. Registry is directed to correct the order dated 05.08.2025 in Crl.R.C.No.1457 of 2024 as above and issue order copy afresh.

26.11.2025

Index: Yes/No
Internet: Yes/No
sli

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Note: Registry is directed to issue the order copy on 26.11.2025

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G.K.ILANTHIRAIYAN, J.
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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2025

CORAM:

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

Crl.R.C.No.1457 of 2024

Nandhini

... Petitioner

Vs

The State Rep By
The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
(Cr.No.330 of 2024)

... Respondent

PRAYER: Criminal Revision Case is filed under Sections 438 read with 442 of BNSS, 2023, to set aside the order dated 06.08.2024 made in Crl.M.P.No.4522 of 2024 on the file of the Judicial Magistrate at Sriperumbudur, Kancheepuram District, dismissing the petitioner to return the vehicle viz Tipper Lorry (TATA MOTORS Ltd), bearing Registration No.TN 23 CQ 2682 to the petitioner herein.

For Petitioner : Mr.R.Sasikumar

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

This Criminal Revision has been filed challenging the order dated 06.08.2024 made in Crl.M.P.No.4522 of 2024 passed by the Judicial Magistrate at Sriperumbudur, Kancheepuram District, thereby dismissing the petition filed for return of property.



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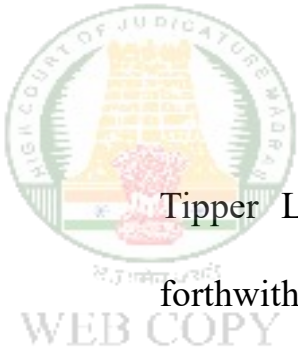
WEB COPY

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

3. The petitioner owned a TATA Motors Tipper Lorry bearing Registration No.TN 23 CQ 2682. It was hired by the accused to transport savudu sand weighing three units. The accused illegally transported the same without any valid permit and as such, the respondent registered FIR in Crime No.330 of 2024 for the offence punishable under Sections 430 and 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957.

4. Pursuant to the registration of FIR, the vehicle has been seized and produced before the Court. She filed a petition for return of property and the same was dismissed.

5. Considering the facts and circumstances of the case, this Court is inclined to return the vehicle. Accordingly, the order dated 06.08.2024 made in Crl.M.P.No.4522 of 2024 passed by the Judicial Magistrate at Sriperumbudur, Kancheepuram District, is hereby set aside. The Judicial Magistrate at Sriperumbudur, Kancheepuram District, is directed to return the TATA Motors



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Tipper Lorry bearing Registration No.TN 23 CQ 2682 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.330 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.

6. Accordingly, the Criminal Revision Case stands allowed.

05.08.2025

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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To

1. The Judicial Magistrate at Sriperumbudur,
Kancheepuram District.
2. The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
3. The Public Prosecutor,
High Court, Madras.



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