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Crl.RC.No.1214 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.RC.No.1214 of 2025

P.Radhakrishnan
S/o. Perumal
No.216/1,
Parayampattu,
Tiruvannamalai Taluk & District - 606 808. ...Petitioner

Vs.

The State Rep. by
The Sub-Inspector of Police,
Kilpennathur Police Station,
Kilpennathur,
Tiruvannamalai. ... Respondent

PRAYER: Criminal Revision Petition filed under Section 397 of Cr.P.C.
r/w. Section 401 Cr.P.C. to set aside the order passed by the District Munsif
cum Judicial Magistrate, Kilpennathur in Crl.M.P.No.94 of 2025 dated
22.04.2025.

For Petitioner : Mr.P.Jayachandran
For Respondent : Mr.A.Gopinath
Government Advocate (crl.side)



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ORDER

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2. Heard both sides and perused the materials available on record.

3. The petitioner owned a two wheeler *Hero Splender Plus bearing Registration No.TN-25-AD-6486*. The petitioner is arrayed as an accused in a case registered by the respondent police in Cr.No.81/2025 for the offences punishable under Section 4(1)(d), 4(1)(i) of TNP Act and Sections 4(1)(C), 4(1)(A) of TNP Amendment Act, 2024 alleging that he had illegally transported 35 litres of palm toddy in said vehicle. Therefore, in pursuance of registration of FIR, the aforesaid vehicle was seized from the petitioner and produced before the trial Court.

4. The learned Government Advocate (CrI.side) appearing for the respondent would submit that in this case, the respondent has initiated



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confiscation proceedings.

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5. On perusal of the records it is seen that the petitioner is an agricultural labourer and he transported 35 litres of palm toddy in said vehicle. Though it is a banned product, it is the first case for the petitioner and he did not involve in any other case.

6. Considering the above facts and circumstances of the case, this Court is inclined to return the vehicle to the petitioner and accordingly, the order passed by the learned District Munsif cum Judicial Magistrate, Kilpennathur in Crl.M.P.No.94 of 2025 dated 22.04.2025, is hereby set aside. The learned District Munsif cum Judicial Magistrate, Kilpennathur, is directed to return the vehicle *Hero Splender Plus bearing Registration No.TN-25-AD-6486* to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute an own bond for a sum of Rs.25,000/- to the satisfaction of the District Munsif cum Judicial Magistrate, Kilpennathur, to the credit of Crime No.81/2025 pending on the file of the respondent police.

(ii) the petitioner shall deposit the original registration certificate of



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the vehicle with the concerned Magistrate.

WEB COPY (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.

7. Accordingly, the Criminal Revision Case stands allowed.

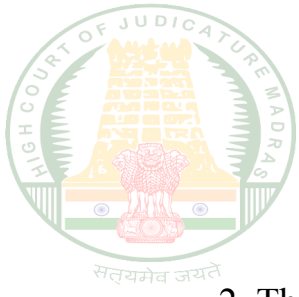
25.07.2025

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

To

1.The District Munsif cum Judicial Magistrate, Kilpennathur.

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2. The Sub-Inspector of Police,
Kilpennathur Police Station,
Kilpennathur, Tiruvannamalai.

3. The Public Prosecutor
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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