



Crl.R.C.No. 1596 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2025

CORAM:

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

Crl.R.C.No. 1596 of 2025

K.Neelakandan

... Petitioner

Vs

State rep. by
The Sub-Inspector of Police,
Vellore Taluk Police Station,
Vellore District.
Crime No.391 of 2024

... 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 dated 09.04.2025 made in Crl.M.P.No.4714 of 2025 on the file of the Judicial Magistrate Court No.I, Vellore and consequently return the vehicle to allow the Criminal Revision Petition.

For Petitioner : Mr.S.Thiyagarajan

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



Crl.R.C.No. 1596 of 2025

ORDER

WEB COPY

This Criminal Revision Case has been filed challenging the order dated 09.04.2025 passed in Crl.M.P.No.4714 of 2025 on the file of the Judicial Magistrate No.I, Vellore, thereby dismissing the petition filed for return of vehicle viz., JCB bearing Reg.No.TN 30 AW 2084, Engine No.H00018246, Chasis No.181410L2 pending disposal of the trial.

2. The petitioner is the owner of the JCB bearing Reg.No.TN30 AW 2084, Engine No.H00018246, Chasis No.181410L2, which was allegedly involved in the transportation of lake sand, without any valid license.

3. Based on the complaint, an FIR was registered in Crime No.391 of 2024 for the offences punishable under Sections 303(2), 326(a) of BNS, 2023. Pursuant to the registration of the FIR, the said vehicle was seized and the same was produced before the Judicial Magistrate No.I, Vellore.

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

5. It is seen from the records that the petitioner is arrayed an accused



Crl.R.C.No. 1596 of 2025

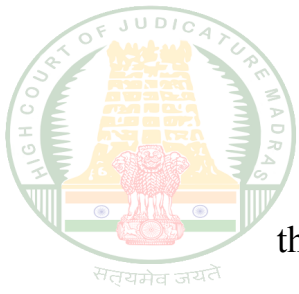
in Crime No.391 of 2024. The petitioner filed a petition seeking return of the seized vehicle, which was dismissed by the Trial Court. Admittedly, the petitioner had transported lake sand for personal use. However, without considering the same, the Trial Court dismissed the petition for return of the vehicle.

6. In view of the above discussions, this Court is inclined to return the vehicle to the petitioner and accordingly, the order dated 09.04.2025 passed in Crl.M.P.No.4714 of 2025 on the file of the Judicial Magistrate No.I, Vellore, is hereby set aside. The learned Judicial Magistrate No.I, Vellore, is directed to return the vehicle viz., JCB bearing Reg.No.TN30 AW 2084, Engine No.H00018246, Chasis No.181410L2 to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute an 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.391 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



Crl.R.C.No. 1596 of 2025

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.

29.08.2025

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

To
1. The Judicial Magistrate No.I,



Crl.R.C.No. 1596 of 2025

WEB COPY

2.The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.

3. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.R.C.No. 1596 of 2025

G.K.ILANTHIRAIYAN, J.
Sma

Crl.R.C.No. 1596 of 2025

29.08.2025