



Crl.RC.No.1470 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 18.08.2025

CORAM:

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

Crl.RC.No.1470 of 2025

N.Suriya

...Petitioner

Vs.

State Rep. by  
The Sub-Inspector of Police,  
Vellore Taluk Police station,  
Vellore District.  
Cr.No.391/2024

... Respondent

**PRAYER:** Criminal Revision Petition filed under Section 438 r/w. 442 of BNSS, 2023, to set aside the order dated 22.04.2025 made in Crl.M.P.No.4711 of 2025 on the file of the Judicial Magistrate Court No.I, Vellore and consequently return the vehicle to allow the above Criminal Revision Petition.

For Petitioner : Mr.S.Thiyagarajan

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

**ORDER**



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This Criminal Revision has been filed as against the order dated 22.04.2025 made in Crl.M.P.No.4711 of 2025 on the file of the Judicial Magistrate Court No.I, Vellore, thereby dismissing the petition to return the property.

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

3. The petitioner owned a ASHOK LEYLAND Tipper Lorry bearing registration number TN 23 AC 2416 which was allegedly involved in transporting lake sand illegally without permission.

4. Based on the complaint, FIR has been registered in Crime No.391/2024 for the offences punishable under Sections 303(2) & 326(a) of BNS. Pursuant to the registration of the FIR, the vehicle has been seized and the same was deposited before the Judicial Magistrate No.I Vellore. The petitioner filed an application seeking return of the vehicle and the same was dismissed by the trial Court.

5. Admittedly the petitioner had only transported lake sand and no



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offence has been committed by him to be charged under the Mines and Minerals Act. However, the Trial Court without considering the same, dismissed the application.

6. In view of the above this Court is inclined to return the vehicle to the petitioner and accordingly, the order dated 22.04.2025 made in Crl.M.P.No.4711 of 2025 on the file of the Judicial Magistrate Court No.I, Vellore, is hereby set aside. The learned Judicial Magistrate No.I, Vellore, is directed to return the vehicle ASHOK LEYLAND Tipper Lorry bearing registration number TN 23 AC 2416 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 Judicial Magistrate No.I, Vellore, to the credit of Crime No.391/2024 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



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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.

6. Accordingly, the Criminal Revision Case stands allowed.

18.08.2025

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



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To

1. The Judicial Magistrate No.I, Vellore.

2. The Sub-Inspector of Police,  
Vellore Taluk Police station,  
Vellore District.

3. The Public Prosecutor

High Court, Madras.



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**G.K.ILANTHIRAIYAN, J.**

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