



Crl.R.C.No.1249 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2025

CORAM:

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

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Gopi

..... Petitioner

Vs

State rep. by
The Sub-Inspector of Police,
Jolarpet Police Station,
Tirupattur District.
Crime No.727 of 2024

..... Respondent

Prayer: Criminal Revision is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order passed in Crl.M.P.No.516 of 2025 on the file of Learned Judicial Magistrate-I, Tirupattur, Tirupattur District dated 08.07.2025.

For Petitioner : Mr.M.N.Balakrishnan

ORDER

This Criminal Revision Case has been filed challenging the order dated 08.07.2025 passed in Crl.M.P.No.516 of 2025 by the learned Judicial Magistrate No.I, Tirupattur, Tirupattur District, thereby dismissing the petition seeking return of the property, viz., Swaraj Mazda Goods Carriage Tipper Lorry bearing Registration No.TN-37-V-0010.



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

the materials available on record.

3. A perusal of the records reveals that the petitioner is the accused and owned a Swaraj Maz Goods Carriage Tipper Lorry bearing Registration No.TN-37-V-0010. The said lorry was used for illegal transportation of one unit of river sand by the petitioner. Pursuant to the complaint, the respondent registered an FIR in Crime No.727 of 2024 for the offence punishable under Sections 303(2) and 326(a) of the Bharatiya Nyaya Sanhita, 2023. Following the registration of the FIR, the vehicle along with the river sand was seized by the respondent and produced before the Trial Court. Thereafter, the petitioner filed a petition seeking return of the property and the same was dismissed by the Trial Court on the ground that the confiscation proceedings in respect of the said property had already been initiated by the respondent.

4. In view of the above, this Court finds no infirmity or illegality in the order dated 08.07.2025 passed in Crl.M.P.No.516 of 2025 by the learned Judicial Magistrate No.I, Tirupattur, Tirupattur District. Accordingly, this



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Criminal Revision Case stands dismissed. However, the respondent is directed

to complete the confiscation proceedings within a period of eight weeks from the date of receipt of a copy of this order.

30.07.2025

Index : Yes/No

Internet : Yes/No

Speaking/Non Speaking order

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To

The Judicial Magistrate No.I,
Tirupattur, Tirupattur District.



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G.K.ILANTHIRAIYAN. J,

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