



Crl.R.C.No.1261 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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Pasul

... Petitioner

Vs

The Sub Inspector of Police,
Kalpakkam Police Station,
Chengalpattu District-603 102.
Cr.No.53/2025

... Respondent

PRAYER: Criminal Revision Case is filed under Section 421 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, to set aside the order passed in CMP.No.394
of 2025 in Cr.No.53 of 2025 dated 22.05.2025 on the file of the Learned
District Munsif cum Judicial Magistrate at Thirukazhukundram and allow the
above petition by granting return of Maruthi Suzuki Swift VXi car bearing
Registration No. TN 19 BT 3200 to the petitioner as prayed therein

For Petitioner : Mr.V.G.Anbarasu

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

This Criminal Revision has been filed challenging the order of
dismissal dated 22.05.2025 made in CMP.No.394 of 2025 on the file of the
District Munsif cum Judicial Magistrate at Thirukazhukundram, thereby



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dismissing the petition filed for return of property.

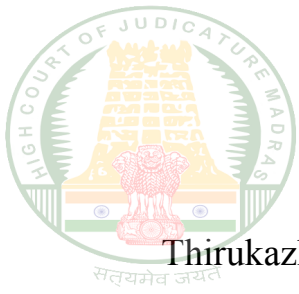
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2. Heard the learned counsel appearing on either side and perused the materials placed on record.

3. The petitioner is the owner of the Maruthi Suzuki Swift VXI Car bearing Registration No.TN 19 BT 3200. The petitioner's son is an accused in Crime No.53 of 2025 for the offences punishable under Sections 331(3) and 305 of BNS, 2023 alleging that he entered into the house of the defacto complainant and had stolen the jewels and also cash.

4. It is not a case of the prosecution that the car owned by the petitioner was used for any crime. The petitioner is the father of the accused, who owned the car. It was seized by the respondent, pursuant to the registration of FIR as against the petitioner's son.

5. In view of the above, this Court is inclined to return the car. Accordingly, the order dated 22.05.2025 made in CMP.No.394 of 2025 passed by the District Munsif cum Judicial Magistrate at Thirukazhukundram, is hereby set aside. The District Munsif cum Judicial Magistrate at



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Thirukazhukundram, is directed to return the Maruthi Suzuki Swift VXi Car bearing Registration No.TN 19 BT 3200 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.53 of 2025 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.



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6. Accordingly, the Criminal Revision Case stands allowed.

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Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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To

1. The District Munsif cum Judicial Magistrate Court,
Thirukazhukundram.
2. The Sub Inspector of Police,
Kalpakkam Police Station,
Chengalpattu District-603 102.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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