



Crl.R.C.No.1697 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2025

CORAM:

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

Crl.R.C.No.1697 of 2024

Ashokan

... Petitioner

Vs

State By

The Inspector of Police,
Karipatty Police Station.

(Crime No.130/2023)

... Respondent

PRAYER: Criminal Revision Case is filed under Section 397 and 401 of Code of Criminal Procedure, to set aside the order in Crl.M.P.No.204 of 2023 dated 19.06.2023 in Cr.No.130/2023, on the file of the District Munsif cum Judicial Magistrate, Vazhapadi and to direct the respondent to release the vehicle Ashok Leyland Tipper lorry number bearing TN 38 AY 6873.

For Petitioner : Mr.V.Janaranjan

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

This Criminal Revision has been filed challenging the order dated 19.06.2023 made in Crl.M.P.No.204 of 2023 passed by the District Munsif cum Judicial Magistrate, Vazhapadi, thereby dismissing the petition filed for return of property.

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



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materials placed on record.

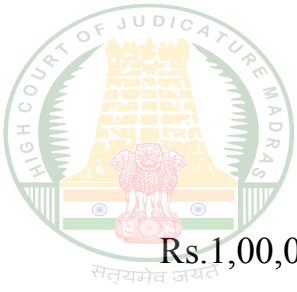
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3. The petitioner owned a Ashok Leyland Tipper Lorry bearing registration No.TN 38 AY 6873. It was hired by the accused to transport norambu sand weighing 3 units. The accused illegally transported the same without any valid permit and as such, the respondent registered FIR in Crime No.130 of 2023 for the offences punishable under Section 379 and 511 of IPC.

4. Pursuant to the registration of FIR, the vehicle has been seized and produced before the Court. He filed a petition for return of property and the same was dismissed.

5. Considering the facts and circumstances of the case, this Court is inclined to return the vehicle. Accordingly, the order dated 19.06.2023 made in Crl.M.P.No.204 of 2023 passed by the District Munsif cum Judicial Magistrate, Vazhapadi, is hereby set aside. The District Munsif cum Judicial Magistrate, Vazhapadi, is directed to return the Ashok Leyland Tipper Lorry bearing registration No.TN 38 AY 6873 to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute a own bond for a sum of



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Rs.1,00,000/- (Rupees One Lakh only) to the satisfaction of the concerned Magistrate to the credit of Crime No.130 of 2023 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.

6. Accordingly, the Criminal Revision Case stands allowed.

05.08.2025

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

G.K.ILANTHIRAIYAN. J.

mn



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To

1. The District Munsif cum Judicial Magistrate, Vazhapadi.
2. The Inspector of Police,
Karipatty Police Station.
3. The Public Prosecutor,
High Court, Madras.

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