



Crl.R.C.No.1488 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2025

CORAM:

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

Crl.R.C.No.1488 of 2025

Ramesh Kumar

..... Petitioner

Vs

The State
rep. By The Sub Inspector of Police
Amaravathi Police Station
Tiruppur District
(crime No.120 of 2024)

..... Respondent

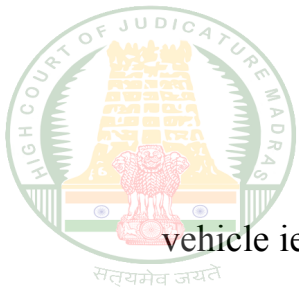
PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of BNSS, 2023, praying to set aside the order dated 04.02.2025 in Crl.M.P No.59 of 2025 on the file of learned Judicial Magistrate Court No.1, Udumalapet by allowing the present criminal revision petition.

For Petitioner : Mr.Vengadesh Durai Raja V.K.

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

O R D E R

This Criminal Revision has been filed challenging the order dated 04.02.2025 in Crl.M.P No.59 of 2025 on the file of learned Judicial Magistrate Court No.1, Udumalapet, thereby dismissing the petition filed for return of



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vehicle ie, tipper lorry bearing registration No.TN 40 F 2810.

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2. Heard the learned counsel appearing on either side and perused, all the materials available on record.

3. The petitioner owned a vehicle ie, tipper lorry bearing registration No.TN 40 F 2810. The said vehicle was involved in transportation of gravel sand without any permission or license. Therefore, FIR was registered for the offence punishable under Section 303(2) of B.N.S and Section 21(1) of Mines and Minerals (Development & Regulation) Act. The petitioner is arrayed as A5. The said vehicle was produced before the learned Judicial Magistrate Court No.1, Udumalapet. Therefore, the petitioner, being the owner of the vehicle, filed the petition seeking to return the same. However, the said petition was dismissed by the learned Judicial Magistrate Court No.1, Udumalapet. Aggrieved by the said order, this criminal revision case has been filed.

4. On perusal of records, it is revealed that the vehicle was involved in transportation of gravel sand, that too from a patta land. Considering the same, this Court is inclined to return the vehicle to the petitioner and accordingly, the impugned order dated 04.02.2025 passed in Crl.M.P No.59 of 2025 on the file of learned Judicial Magistrate Court No.1, Udumalapet, is



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hereby set aside. The learned Judicial Magistrate Court No.1, Udumalapet, is

directed to return the vehicle ie, tipper lorry bearing registration No.TN 40 F

2810 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.120 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 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.

5. Accordingly, the Criminal Revision Case stands allowed.



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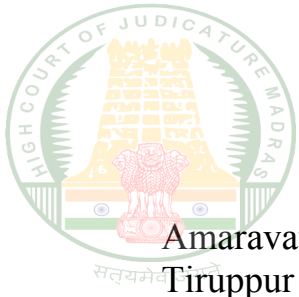
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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

1.The learned Judicial Magistrate Court No.1, Udumalapet

2.The Sub Inspector of Police

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Amaravathi Police Station
Tiruppur District

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3. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.

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