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Crl.R.C No.1413 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.08.2025

CORAM:

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

Crl.R.C No.1413 of 2025

Saroja

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Traffic Investigation Wing,
Chrompet, Chennai.
Crime No.179 of 2025

... Respondent

Prayer: This Criminal Revision Petition is filed under Section 438 read with 442 of BNSS Act, 2023, to set aside the order passed in Crl.M.P.No.1531 of 2025 dated 18.07.2025 passed by the Judicial Magistrate No.I, Tambaram and further direct the respondent to return the Auto bearing TN-11-AC-0185.

For Petitioner : Mr.P.Muthamizhselvakumar

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



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ORDER

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This criminal revision has been filed as against the order passed in Crl.M.P.No.1531 of 2025 dated 18.07.2025 passed by the Judicial Magistrate No.I, Tambaram, thereby dismissed the petition to return the vehicle.

2. The petitioner claims to be the owner of an auto bearing Registration No. TN 11 AC 0185 which was involved in the accident was driven by its driver in a drunken mood. Due to which, 1-1/2 years child died. Therefore, the respondent registered a FIR in Crime No.179 of 2025 for the offences punishable under Sections 281, 125(a), 105 of BNSS Act and Section 185 of Motor Vehicles Act. In pursuant to the filing of the C.P. No.118 of 2025, the auto was seized by the respondent police and the same was produced before the trial Court. On verification, it was found that the auto belonged to the petitioner's husband. However, he died in the year 2022. Even, thereafter, the petitioner without taking any steps to change the ownership in her name, she obtained a permit and insurance and other requirements in the name of the deceased husband and she was driving the auto. Therefore, the petitioner had committed



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very serious offence and as such, the trial Court rightly dismissed the petition and directed to confiscated the auto. In view of the same, this Court finds no infirmity or illegality in the order passed by the trial Court.

3. Accordingly, this Criminal Revision Case is dismissed. However, after changing the ownership in the name of the petitioner, the petitioner is at liberty to file a fresh petition for return of the vehicle.

13.08.2025

Index: Yes/No
Internet: Yes/No
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To

1. The Inspector of Police,
Traffic Investigation Wing,
Chrompet, Chennai.
2. The Judicial Magistrate No.I, Tambaram.
3. The Public Prosecutor,
High Court of Madras, Chennai.



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G.K.ILANTHIRAIYAN,J

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