



Crl.R.C.No.1535 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

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

**Crl.R.C.No.1535 of 2025**

Jayapal

... Revision Petitioner

Vs

The State rep by,  
The Inspector of Police,  
Chengalpattu Taluk Police Station,  
Chengalpattu District.  
(Crime No. 383 of 2025).

...Respondent

**PRAYER :** Criminal Revision has been filed under Section 438 r/w 442 of BNSS, 2023, to allow the Criminal Revision Petition and set aside the Order dated 24.06.2025 passed in Crl.M.P.No.1706 of 2025 by the learned Judicial Magistrate No.II, Chengalpattu.

For Petitioner : Mr.M.Vijayaragavan

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

**ORDER**

This Criminal Revision has been filed challenging the order passed in Crl.M.P.No. 1706 of 2025 dated 24.06.2025 on the file of Judicial Magistrate No.II, Chengalpattu, thereby dismissed the petition filed for return of vehicle



Crl.R.C.No.1535 of 2025

namely Mahindra Earthmaster SX IV Backhoe Loader bearing Registration No.

WEB GOM TN 19 BT 3569.

2. The petitioner is the owner of the vehicle-Mahindra Earthmaster SX IV Backhoe Loader bearing Registration No. TN 19 BT 3569. However, the said vehicle was used to unload the soil without any valid permission. Hence, the respondent registered a FIR in Crime No.383 of 2025, for the offence punishable under Sections 305(e) of B.N.S Act 2023 r/w 21(1) of Mines and Minerals (Development of Regulation) Act 1957. Pursuant to the registration of FIR, the respondent seized the vehicle and produced before the court concerned. Therefore, the petitioner, being the owner of the said vehicle, filed a petition to return the vehicle. However, without considering the above facts and circumstances, the said petition was dismissed. Aggrieved by the said order, this Criminal Revision Case has been filed.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. On perusal of the records, it is revealed that admittedly the petitioner's vehicle involved in illegal transportation of sand. However, the learned counsel for the petitioner requested that the vehicle may be returned to the petitioner on any condition imposed by this Court. Considering his request,



Crl.R.C.No.1535 of 2025

this Court is inclined to return the vehicle to the petitioner and accordingly, the

impugned order passed in Crl.M.P.No. 1706 of 2025 dated 24.06.2025 on the file of Judicial Magistrate No.II, Chengalpattu, is hereby set aside. The learned Judicial Magistrate No.II, Chengalpattu, is directed to return the Mahindra Earthmaster SX IV Backhoe Loader bearing Registration No. TN 19 BT 3569. to the petitioner, forthwith on the following conditions:-

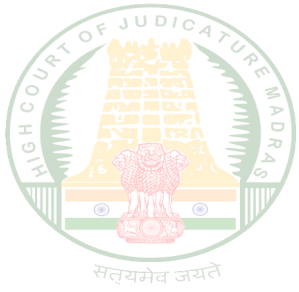
(i) the petitioner is directed to execute an own bond for a sum of Rs.1,00,000/- (Rupees One lakh only) to the satisfaction of the concerned Magistrate to the credit of Crime No.383 of 2025 pending on the file of the respondent police.

(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;



Crl.R.C.No.1535 of 2025

(vi) If any of the conditions are violated, this order automatically stands cancelled.

7. Accordingly, the Criminal Revision Case stands allowed.

**22.08.2025**

Speaking order/Non-speaking order  
Index :Yes/No  
Internet :Yes/No  
nr

To

1. The Judicial Magistrate No.II, Chengalpattu,
2. The Inspector of Police,  
Chengalpattu Taluk Police Station,  
Chengalpattu District.
3. The Public Prosecutor,  
High Court, Madras.



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Crl.R.C.No.1535 of 2025

**G.K.ILANTHIRAIYAN, J.**

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Crl.R.C.No.1535 of 2025

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