



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-08-2025

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THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL RC No. 1569 of 2025

Sarathi
S/o.Kannappan.

Petitioner(s)

Vs

The Sub Inspector of Police,
Taluk Police Station, Villupuram.
Cr.No.1013/2024.

Respondent(s)

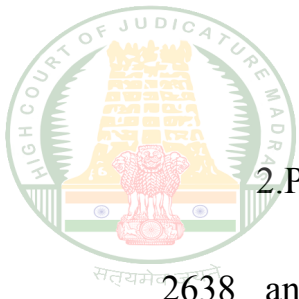
PRAYER: Criminal Revision filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order passed by the Judicial Magistrate No.1, Villupuram, in C.M.P.No.174 of 2025 dated 14.05.2025 and subsequently grant interim custody of TVS Starcity two wheeler bearing registration No.PY – 01-AW-2638 to the petitioner.

For Petitioner(s): Ms.T.Lavanya

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

ORDER

This Criminal Revision Case has been filed as against the order dated 14.05.2025 in Crl.M.P.No.174 of 2025, on the file of the Judicial Magistrate No.1, Villupuram, thereby dismissing the petition filed for return of the vehicle viz., TVS Starcity bearing registration No. PY – 01-AW-2638.



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2. Petitioner owns a two wheeler bearing registration No. PY – 01-AW-2638 and the petitioner was found in illegal possession of 22 brandy bottles each containing 180 ml purchased from Puducherry. Therefore, FIR was registered in Crime No.1013 of 2024 for the offences under Sections 4(1) (a), 14 (A) TNP Act and 4 (1) (c) of TNP Act. Pursuant to the registration of the FIR, the vehicle and also the liquor bottles were seized and produced before the Trial Court. Thereafter, the petitioner filed a petition seeking return of the said property, which was dismissed by the Trial Court. Aggrieved by the same, the present criminal revision petition has been filed.

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

4. It is seen that the petitioner had purchased 22 brandy bottles for their personal use from Puducherry. Considering the above facts and circumstances of the case, this Court is inclined to order the return of the vehicle to the petitioner. Accordingly, the order dated 14.05.2025, passed in Crl.M.P.No.174



of 2025, on the file of the Judicial Magistrate No.1, Villupuram, is hereby set

aside. The Judicial Magistrate No.1, Villupuram, is directed to return the

vehicle viz., TVS Starcity bearing registration No. PY – 01-AW-2638 to the

petitioner, forthwith on the following conditions:-

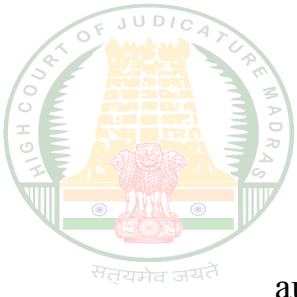
(i) the petitioner is directed to execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the concerned Court to the credit of Crime No.1013 of 2024 pending on the file of the respondent police.

(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.

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5. Accordingly, the Criminal Revision Case stands allowed.

26-08-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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1. The Sub Inspector of Police,
Taluk Police Station, Villupuram.
Cr.No.1013/2024.

2. The Judicial Magistrate No.1,
Villupuram.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN J.
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