



Crl.R.C.No.1433 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2025

CORAM:

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

Crl.R.C.No. 1433 of 2025

Muruganantham

... Petitioner

Vs

The State rep. by
The Inspector of Police,
Udumalpet Police Station,
Tiruppur District

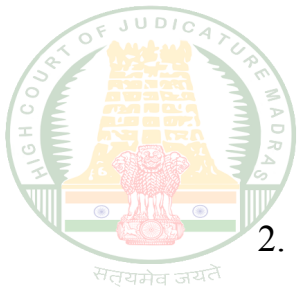
... Respondent

PRAYER: Criminal Revision Case is filed under Sections 438 and 442 of BNSS Act, 2023, to call for the records in C.M.P.No.546 of 2025 on the file of the learned Judicial Magistrate No.I, Udumalpet dated 06.08.2025 and set aside the same by allowing the present Revision.

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

ORDER

This Criminal Revision has been preferred as against the order passed in C.M.P.No.546 of 2025 on the file of the learned Judicial Magistrate No.I, Udumalpet dated 06.08.2025, thereby dismissing the petition filed for return of vehicle namely Tipper Lorry bearing Registration No. TN 38 BFL 8989.



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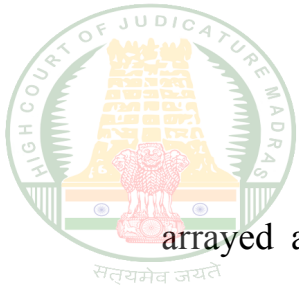
2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner owned a Tipper Lorry bearing Registration No. TN 38 BFL 8989. Pursuant to the registration of FIR in Crime No.465 of 2025, on the file of the respondent Police, the Tipper lorry owned by the petitioner was seized by the respondent alleging that the petitioner transported gravel stones without any valid permit or license, hence, the respondent registered a case in Crime No.465 of 2025 for the offence punishable under Section 305(e) BNSS Act r/w 21(1) of Mines and Minerals Development and Regulation Act. The said vehicle was produced before the Judicial Magistrate No.I, Udumalpet and the same was seized from the custody of the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner was found in possession transporting three units of gravel stones.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) for the respondent.

6. Even according to the case of the prosecution, the petitioner



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arrayed as accused and he transported only gravel stones that too from the private land. Further the provision under Section 451 of Cr.P.C.,/497(1) of BNSS provides for protection of the property from degradation due to non maintenance in the custody of the police as it takes long time for conclusion of criminal proceedings. The vehicle is in broad day light from the date of seizure and the trial has also been commenced and hence no useful purpose will be served in keeping the vehicles parked in the sunlight and rain.

7. In view of the above discussions, this Court is inclined to return the vehicle to the petitioner and accordingly, the order passed in Crl.M.P.No.546 of 2025 dated 06.08.2025 by the learned Judicial Magistrate No.I, Udumalpet is hereby set aside. The learned Judicial Magistrate No.I, Udumalpet, is directed to return the Tipper Lorry bearing Registration No.TN 38 BFL 8989 to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute a 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.465 of 2025 pending on the file of the respondent police.

(ii) the petitioner shall deposit the original registration certificate of the



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vehicle with the concerned Magistrate.

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(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.

7. Accordingly, the Criminal Revision Case stands allowed.

14.08.2025

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

ssd



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1.The Judicial Magistrate No.I, Udumalpet

2. The State rep. by
The Inspector of Police,
Udumalpet Police Station,
Tiruppur District

3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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