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CRL RC No. 1558 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-08-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL RC No. 1558 of 2025

Arumugam
S/o.Sankaran.

Petitioner(s)

Vs

State rep by,
The Sub Inspector of Police,
Athur Police Station, Salem District
Cr.No.281/2024

Respondent(s)

PRAYER:Criminal Revision filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to allow the Criminal Revision Case by setting aside order dated 18.06.2025 passed in CrI.M.P.No.372 of 2025 on the file Judicial Magistrate No.I, Athur.

For Petitioner(s): Mr.K. Govi Ganesan

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

ORDER

This Criminal Revision Case has been filed challenging the order dated 18.06.2025 passed in CrI.M.P.No. 372 of 2025, on the file of the Judicial



Magistrate No.I, Athur, thereby dismissing the petition filed for return of the vehicle viz., Honda Activa bearing registration No. TN-54-E-8956.

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2. The petitioner is the owner of Honda Activa bearing registration No.TN-54-E-8956, and was found in illegal possession of 1½ Kg Haans. Therefore, the respondent police registered FIR in Crime No.281 of 2024 for the offences punishable under Sections 123 BNS r/w 7 (5) and 20 (2) of COTPA Act. Pursuant to the registration of the FIR, the vehicle was seized and produced before the Trial Court. Thereafter, the petitioner filed a petition seeking return of the said vehicle, 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. Considering the facts and circumstances of the case and that the owner of the vehicle has not involved in any of the crime, this Court is inclined



to order the return of the vehicle to the petitioner. Accordingly, the order dated 18.06.2025, passed in CrI.M.P.No. 372 of 2025, on the file of the Judicial

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Magistrate No.I, Athur, is hereby set aside. The Judicial Magistrate No.I, Athur, is directed to return the vehicle viz., Honda Activa bearing registration No. TN-54-E-8956, to the petitioner, forthwith on the following conditions:-

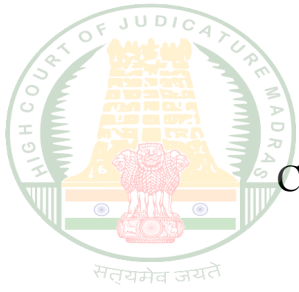
(i) the petitioner is directed to execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the concerned Court to the credit of Crime No.281 of 2024 pending on the file of the respondent police.

(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;

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

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,
Athur Police Station,
Salem District.
Cr.No.281/2024

2. The Judicial Magistrate No.I,
Athur.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN J.
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