



Crl.R.C.No. 1588 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2025

CORAM:

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

Crl.R.C.No. 1588 of 2025

Ramesh

... Petitioner

Vs

State rep. by
The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.
Crime No.35 of 2025

... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 14.08.2025 passed by the Judicial Magistrate No.I, Vellore in Crl.M.P.No.8249 of 2025 in Crime No.35 of 2025 and direct to release the vehicle, Ashok Leyland Lorry bearing Reg.No.TN-09, Al 2973 owned by the petitioner.

For Petitioner : Mr.D.Thirumoorthy

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

ORDER

This Criminal Revision Case has been filed challenging the order dated 14.08.2025 passed in Crl.M.P.No.8249 of 2025 on the file of the Judicial



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Magistrate No.I, Vellore, thereby dismissing the petition filed for return of vehicle viz., T Ashok Leyland Lorry bearing Reg.No.TN-09, AI 2973.

2. The petitioner is the owner of the Ashok Leyland Lorry bearing Reg.No.TN-09, AI 2973, which was allegedly involved in the transportation of river sand, without any valid license.

3. Based on the complaint, an FIR was registered in Crime No.35 of 2025 for the offences punishable under Sections 303(2) and 326(a) of BNS Act, 2023. Pursuant to the registration of the FIR, the said vehicle was seized and the same was produced before the Judicial Magistrate No.I, Vellore.

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

5. It is seen from the records that the petitioner is arrayed an accused in Crime No.35 of 2025. The petitioner filed a petition seeking return of the seized vehicle, which was dismissed by the Trial Court. Admittedly, the petitioner had transported 3 units of river sand. However, without considering the same, the Trial Court dismissed the petition for return of the vehicle.



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6. In view of the above discussions, this Court is inclined to

return the vehicle to the petitioner and accordingly, the order dated 14.08.2025 passed in Crl.M.P.No.8249 of 2025 on the file of the Judicial Magistrate No.I, Vellore, is hereby set aside. The learned Judicial Magistrate No.I, Vellore, is directed to return the vehicle viz., T Ashok Leyland Lorry bearing Reg.No.TN-09, Al 2973 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.35 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;



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

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7. Accordingly, the Criminal Revision Case stands allowed.

29.08.2025

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

To

1. The Judicial Magistrate No.I,
Vellore.

2.The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.
Sma

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