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Crl.R.C.No.1590 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.1590 of 2025

R.Nedunchezhiyan

..... Petitioner

Vs

The State Represented by  
The Inspector of Police,  
PEW Vellore Police Station,  
Vellore District.  
Crime No.412 of 2024

..... Respondent

**Prayer:** Criminal Revision is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 09.07.2025 made in Crl.M.P.No.550 of 2025 in Spl.C.C.No.42 of 2025 on the file of the learned Additional District Judge and Presiding Officer ( Special Court under EC and NDPS Act), Salem by allowing this petiiton.

For Petitioner : Mr.M.Sarath Kumar

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

**ORDER**



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This revision is preferred as against the order dated 09.07.2025 made in Crl.M.P.No.550 of 2025 in Spl.C.C.No.42 of 2025 on the file of the learned Additional District Judge and Presiding Officer ( Special Court under EC and NDPS Act), Salem thereby dismissed the petition filed for return of vehicle.

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

3. The petitioner is an accused in Crime No.412 of 2024 on the file of the respondent Police. It is alleged that the petitioner was found in illegal transportation 2 1/2 kgs of ganja in his two wheeler Yamaha MT-15 bearing Reg.No.TN 23 DE 8529.

4. Pursuant to the registration of the FIR, the petitioner was arrested and remanded to judicial custody and the bike, which was driven by the petitioner, bearing Reg.No.TN 23 DE 8529, was also seized by the respondent.



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5. After completion of the investigation, the respondent filed a final report and the same has been taken cognizance by the Additional District Judge and Presiding Officer ( Special Court under EC and NDPS Act), Salem

6. Pending trial, the petitioner filed a petition in Crl.M.P.No.550 of 2025 before the Additional District Judge and Presiding Officer ( Special Court under EC and NDPS Act), Salem seeking interim custody of the seized vehicle. However, the Trial Court dismissed the said application on the ground that the vehicle was used for illegal transportation of the contraband. Since the vehicle is used for transportation of the ganja, the respondent is taking steps for confiscation of the vehicle in accordance with law, the Trial Court rightly dismissed the petition filed by the petitioner for return of vehicle.

7. In view of the above, this Court finds no infirmity or illegality in the order dated 09.07.2024 made in Crl.M.P.No.550 of 2025 in Spl.C.C.No.42 of 2024 by the Additional District Judge and Presiding Officer ( Special Court under EC and NDPS Act), Salem.



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8. Accordingly, this Criminal Revision Case stands dismissed.

29.08.2025

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

To

1. Additional District Judge and Presiding Officer  
( Special Court under EC and NDPS Act), Salem
2. The Inspector of Police,  
PEW Vellore Police Station,  
Vellore District.
3. The Public Prosecutor,  
High Court, Madras.



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

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