



WEB COPY

CRL RC No. 1571 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. 1571 of 2025

Akash Kumar
S/o. Chinnaraj.

Petitioner(s)

Vs

The State rep by
The Inspector of Police
P-6, Kodungaiyur Police Station,
Chennai District.
Crime No.804 of 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 dated 08.08.2025 in Crl.M.P.No.5057 of 2025, on the file of the Principal Special Court under EC and NDPS Act, Chennai and direct the interim return of the Maruti Swift Car (Reg.No.TN18-BS-6405) and iPad Tablet to the Petitioner.

For Petitioner(s): Mr.R.Darshan

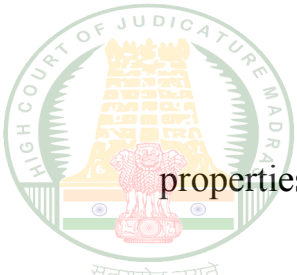
For Respondent(s): Mr.A.Gopinath
Government Advocate (Crl.Side)

**ORDER**

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This Criminal Revision Case has been filed as against the order dated 08.08.2025 in Crl.M.P.No.5057 of 2025, on the file of the Principal Special Court under EC and NDPS Act, Chennai, thereby dismissing the petition filed for return of the vehicle viz., Maruti Swift Car bearing registration No. TN18-BS-6405.

2.The petitioner is arrayed as A12 in Crime No.804 of 2024 registered for the offences under Sections 8(c) r/w 20(b) (ii) (C), 25 and 29 (1) of the NDPS Act, 1985, alleging that A1 to A3 and others were in possession of 22.202kgs of ganja, 20kgs of ganja chocolate and 100 grams of ganja oil. Thereafter, based on the confession statement of the first accused, the petitioner was arrested and remanded to judicial custody alleging that he was in possession of 12 grams of ganja while he was driving the Car bearing registration No. TN18-BS-6405. Pursuant to the registration of the FIR, the petitioner was arrested and the vehicle, the contraband and I Pad were seized and produced before the Trial Court. Thereafter, the petitioner filed a petition seeking return of the said



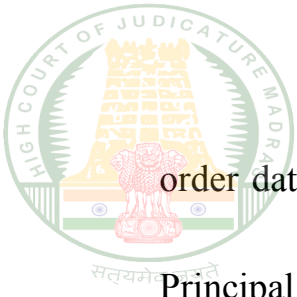
properties, which was dismissed by the Trial Court. Aggrieved by the same, the present criminal revision petition has been filed.

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

4.Even according to the prosecution case, the petitioner was in possession of 12 grams of ganja in his pocket. Therefore, the Car was not used by the petitioner for purchase or selling of the contraband. According to the case of the prosecution, the contraband was purchased from Andhra Pradesh and A21 & A22 were the persons who used to sell the contraband in their residential area. On that ground, the petitioner was also granted bail by this Court vide order dated 21.12.2024, in Crl.O.P.No.32168 of 2024 and also some of the properties of the accused was returned.

5.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 08.08.2025, passed in Crl.M.P.No.5057 of 2025, on the file of the Principal Special Court under EC and NDPS Act, Chennai, is hereby set aside.

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The Principal Special Court under EC and NDPS Act, Chennai, is directed to return the vehicle viz., Maruti Swift Car bearing registration No.TN18-BS-6405 to the petitioner, forthwith on the following conditions:-

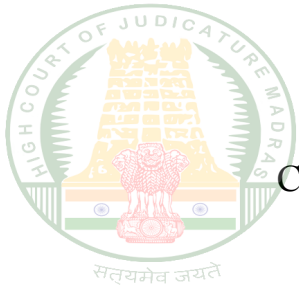
(i) the petitioner is directed to execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) to the satisfaction of the concerned Court to the credit of Crime No.804 of 2024 pending on the file of the respondent police.

(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.

6. 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

To

1. The State rep by
The Inspector of Police
P-6, Kodungaiyur Police Station,
Chennai District.
Crime No. 804 of 2024.

2. The Principal Special Court under EC
and NDPS Act, Chennai.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN J.
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