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CRL RC No. 1825 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 1825 of 2025

1. G.Vellingiri

S/o. Govinthasamy, 3/170, Ponnakkani,
Edayarpalayam Post, Bogampatti, Sulur
Taluk, Coimbatore District 641016.

Petitioner(s)

Vs

1. The State of Tamilnadu, Rep
Through the Inspector of Police
Sulur Police Station, Coimbatore
District. Crime No. 175/2025.

Respondent(s)

CRL RC No. 1825 of 2025

PRAYER

To call for the records relating to the order dated 21.03.2025 made in CMP.No.231/2025 passed by the Ld.Judicial magistrate, Sulur and set aside the same by allowing this Criminal Revision petition.

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For Petitioner(s): N.Ponraj



S.Karan Raj
E.Shobana

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For Respondent(s): Dr. C.E. Pratap
Government Advocate Crl. side

ORDER

This Criminal Revision has been filed challenging the order passed in Crl.M.P.No.231 of 2025 dated 21.03.2025 on the file of Judicial Magistrate, Sulur, thereby dismissing the petition filed for return of vehicle namely Ashok Leylad Tipper Lorry bearing Registration No. TN 38 BJ 4480.

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 TN 38 BJ 4480. Pursuant to the registration of FIR in Crime No.175 of 2025, on the file of the respondent Police, the said Tipper Lorry owned by the petitioner was seized by the respondent alleging that the Driver of the Tipper Lorry was illegally transporting 3 units of gravel sand without any permission or license.



The case has been registered for the offence punishable under Sections 303(2)

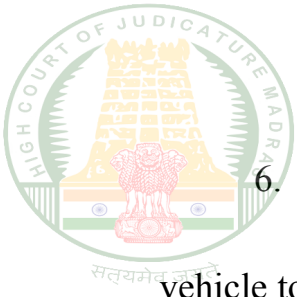
of B.N.S Act 2023 r/w 21(1) of Mines and Minerals (Development of

Regulation) Act 1957, as against the Driver of the Tipper Lorry and others. The

said vehicle was produced before the Judicial Magistrate, Sulur.

4. The learned Government Advocate (Crl. side) would submit that after completion of investigation, a final report has been filed before the Judicial Magistrate and it is pending for taking cognizance.

5. Even according to the case of the prosecution, 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.



6. 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.231 of

2025 dated 21.03.2025 by the Judicial Magistrate, Sulur, is hereby set aside.

The learned Judicial Magistrate, Sulur, is directed to return the Ashok Leyland

Tipper Lorry bearing Registration No.TN 38 BJ 4480 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.175 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;

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

7. Accordingly, the Criminal Revision Case stands allowed.

24-09-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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T.V.THAMILSELVI J.

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