

Crl.R.C.No.1736 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.RC.No.1736 of 2025

A.Mahendran

.... Petitioner

Vs.

State represented by
The Sub-Inspector of Police
Mailam Police Station
Villupuram District.
(Crime No.267 of 2025)

.... Respondent

PRAYER: Criminal Revision Petition filed under Sections 438(1) r/w 442 of BNSS Act, 2023, praying to set aside the order passed in Crl.M.P.No.796 of 2025 on the file of the Judicial Magistrate-II, Tindivanam in Crime No.267 of 2025 on the file of the respondent dated 15.06.2025 and direct the respondent to release the Hero Splender Plus Motor Cycle bearing Registration No.TN-22-DX-1760 and allow this Criminal Revision Petition.

For Petitioner : Mr.G.Tamil Selvan



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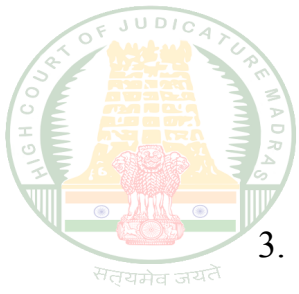
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For Respondent : Dr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

This petition has been filed to set aside the order passed in Crl.M.P.No.796 of 2025 on the file of the Judicial Magistrate-II, Tindivanam in Crime No.267 of 2025 on the file of the respondent dated 15.06.2025 and direct the respondent to release the Hero Splender Plus Motor Cycle bearing Registration No.TN-22-DX-1760 and allow this Criminal Revision Petition.

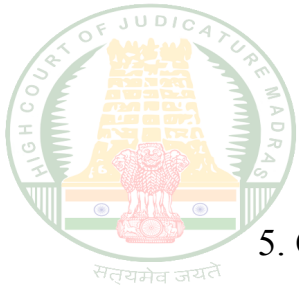
2. The petitioner filed an application before the trial Court seeking return of the vehicle and the same was dismissed by the trial Judge holding that the ownership was not vested on him. Challenging the said order, the present Revision is filed. On 15.06.2025, one Ramachandran carrying sum medicine in the petitioner's vehicle, during routine vehicle checkup, the respondent police conducted search in the above said vehicle and found that some unauthorized Puducherry Liquor viz., 1) 750 ML Magic Moment Vodka- 02 Nos, 2) 750 ML Neon Votka -01 Nos, 3) 180 ML Bombay Delexy Brandy -20 Nos, were kept in the two wheeler bearing Reg.No.TN-22-DX-1760 and seized the vehicle.



3. The learned counsel appearing for the petitioner submitted that the petitioner came to know that their two-wheeler was utilized for transporting liquor bottles. After the two-wheeler was seized it was informed by the respondent police. He further submitted that he is the owner of the Hero Splender Plus Motor Cycle bearing Registration No.TN-22-DX-1760. He is having valid document to prove his ownership. If the two-wheeler is being kept in open air and sunlight, it would be valueless.

3. Per contra, the learned Government Advocate (Criminal.Side) appearing for the respondent raised serious objection for allowing this petition. He further submitted that unauthorized Puducherry Liquor viz., 1) 750 ML Magic Moment Vodka- 02 Nos, 2) 750 ML Neon Votka -01 nos, 3) 180 ML Bombay Delexy Brandy -20 Nos, were kept in the two wheeler bearing Reg.No.TN-22-DX-1760. The Two-Wheeler was utilized for selling liquor bottles and hence, the above two-wheeler was seized along with other materials from the accused person.

4. Heard learned counsel appearing for the petitioner and learned Government Advocate (Criminal Side) appearing for the respondent and perused the materials available on record.



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5. Considering the same, this Court is inclined to set aside the findings of the trial Court and this petition is allowed. The petitioner is directed to obtain the vehicle by producing the relevant records to prove his ownership.

18.09.2025

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

To

1.The Judicial Magistrate-II, Tindivanam.

2.The Sub-Inspector of Police
Mailam Police Station
Villupuram District.
(Crime No.267 of 2025)

3.The Public Prosecutor
High Court, Madras.



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T.V.THAMILSELVI, J.
dna

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