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CRL RC No. 2143 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2143 of 2025

1. MURUGASAMY

S/o.Manthirachalam, No.2/171,
Bogampatti, Sulur Taluk, Coimbatore,
Coimbatore District.

Petitioner(s)

Vs

1. State rep. by

The Inspector of Police, Sulur Police
Station, Coimbatore District. Crime
No.428 of 2025

Respondent(s)

CRL RC No. 2143 of 2025

PRAYER

To set aside the order passed in CrI.M.P.No.362 of 2025 on the file of Learned Judicial Magistrate Court, Sulur dated 09.06.2025 and pass such or other orders that this Honble Court deems fit and proper and thus render justice.

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For Petitioner(s): M.N.Balakrishnan



S.N.Arunkumar
P.Narayana Prasadh

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For Respondent(s): Public Prosecutor

ORDER

This petition has been filed to set aside the order passed in Crl.M.P.No.362 of 2025 on the file of Learned Judicial Magistrate Court, Sulur dated 09.06.2025.

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

3. The petitioner owned a Ashok Leyland Tipper Lorry bearing Registration No.TN 39 BR 3886. Pursuant to the registration of FIR in Crime No.428 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/petitioner of the said Tipper Lorry and others. The said vehicle was produced before the Judicial



Magistrate, Sulur.

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4. The learned Government Advocate (Crl. side) would submit that the petitioner has already involved in similar nature of offence.

5. As 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.362 of 2025 on the file of Learned Judicial Magistrate Court, Sulur, is hereby set aside. The learned Judicial Magistrate Court, Sulur, is directed to return the Tipper Lorry bearing Registration No.TN 28 BK 8539 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.428 of 2025 pending on the file of the respondent police. Further, the petitioner shall deposit a sum of Rs.50,000/- to the credit of Crime No.428 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.



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7. Accordingly, the Criminal Revision Case stands allowed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate Court, Sulur.
2. The Public Prosecutor, High Court, Madras.
3. The Section officer, V. R Section, High Court, Madras.



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T.V.THAMILSELVI J.
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