



Crl.O.P.No.32261 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.32261 of 2024

K.Saravanel

... Petitioner

Vs.

State rep. by
The Sub-Inspector of Police,
Perambalur Police Station,
Perambalur District.

... Respondent

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 27.11.2024, passed by the learned Principal District and Session Judge, Perambalur in Crl.Rev.No.6 of 2024 confirming the order passed by the Judicial Magistrate No.1, Perambalur, in Crl.M.P.No.1795 of 2024 dated 03.10.2024 in Crime No.713 of 2024 pending on the file of the respondent police and consequently ordered to release the petitioner's tipper lorry bearing registration No.TN48 BX7916, which was seized by the respondent on 16.09.2024.

For Petitioner : Mr.T.Arunkumar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor



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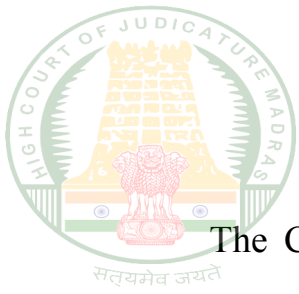
ORDER

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This petition has been filed challenging the order dated 27.11.2024, passed by the learned Principal District and Session Judge, Perambalur in Crl.Rev.No.6 of 2024, confirming the order dated 03.10.2024 passed by the Judicial Magistrate No.1, Perambalur, in Crl.M.P.No.1795 of 2024, thereby dismissing the petition for return of property.

2. The petitioner is the owner of the tipper lorry bearing registration No.TN48BS7916. The vehicle was involved in the crime of stones theft and the same was seized by the respondent police. The petitioner filed an application seeking interim custody of the vehicle and the same was dismissed by the Courts below.

3. It is seen that the petitioner's vehicle involved in another similar crime and as such the registration certificate of the said vehicle has been in possession of the learned Judicial Magistrate No.II, Perambalur. Once again the petitioner's vehicle involved in the similar offence that too, without any registration certificate. Therefore, the request made by the petitioner for return of vehicle cannot be considered.



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The Courts below rightly dismissed the same and this Court finds no infirmity or illegality in the order passed by the Courts below. The respondent is directed to proceed with the confiscation proceedings in accordance with law.

4. Accordingly, the Criminal Original Petition stands dismissed.

06.02.2025

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

rts

To

1. The Principal District and Session Judge,
Perambalur

2. The Judicial Magistrate No.1,
Perambalur,

3. The Sub-Inspector of Police,
Perambalur Police Station,
Perambalur District.

4. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

rts

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