



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2135 of 2025

1. JAISE

S/o.Pavithran, Yaladhahalli, Kasaba,
Nalamangala Taluk, Mandiaya District,
Karnataka.

Petitioner(s)

Vs

1. The State Rep by its
Inspector of Police, Thiyagaduram
Police Station, Kallakurichi District.
Crime No.371 of 2025

Respondent(s)

CRL RC No. 2135 of 2025

PRAYER

To call for the records in Crl.M.P.No.3011 of 2025 dated 18.09.2025 on the file of Judicial Magistrate No.II, Kallakurichi and set aside the same subsequently grant interim custody of vehicle lorry bearing registration number KA-52 A 4836 EICHER PRO to the petitioner and pass such further or other orders as deem fit and proper and thus render justice.



CRL RC No. 2135 of 2025

For Petitioner(s): N.Ranjith Kumar
M.Subash
I.Sheik Mohamed
E.Aneesh Vinayak
J.Gayathri

For Respondent(s): Public Prosecutor

ORDER

This petition has been filed to call for the records in Crl.M.P.No.3011 of 2025 dated 18.09.2025 on the file of Judicial Magistrate No.II, Kallakurichi and set aside the same subsequently grant interim custody of vehicle lorry bearing registration number KA-52 A 4836 EICHER PRO to the petitioner

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

3. The petitioner owned a lorry bearing registration number KA-52 A 4836 EICHER PRO. Pursuant to the registration of FIR in C.P No.150 of 2025, on the file of the respondent Police, the said Lorry owned by the petitioner was seized by the respondent alleging that the Driver of the said Lorry was illegally transporting 25 cattle without following guidelines for transporting the cattles



The case has been registered for the offence punishable under Sections 281, 296(b) of BNS, 11(1)(a), 11(1)(b), 11(1)(d), 11(1)(e), 11(1)(h), of PCA Act 47(a), 48 of TAR Act, as against the Driver of the said Lorry. The said vehicle was produced before the Judicial Magistrate, No.II, Kallakurichi.

4. The learned Government Advocate (Crl. side) would submit that the case is under investigation.

5. As per 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.3011 of 2025 dated 18.09.2025 by the Judicial Magistrate, No.II, Kallakurichi, is hereby set aside. The learned Judicial Magistrate, No.II, Kallakurichi, is directed to return the lorry bearing registration number KA-52 A 4836 EICHER PRO to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to deposit a sum of Rs.1,00,000/- to the credit of C.P No. 150 of 2025 pending on the file of the respondent police. On such deposit, 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 C.P No. 150 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 disposed of.

27-10-2025

pbl

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



WEB COPY

CRL RC No. 2135 of 2025



T.V.THAMILSELVI J.
pbl

**CRL RC No. 2135 of
2025**

27-10-2025