



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2175 of 2025

1. SELVAGANAPATHI

S/o.Suriyakanthan, No. 3/82, Road
Street, Rathinagiri, T.S.Kuppam,
Arapakkam, Vellore District.

Petitioner(s)

Vs

1. State By The Inspector of Police
Sathuvacharry Police Station, Vellore
District. Crime No. 396/2024.

Respondent(s)

PRAYER

To set aside the order dt. 10.10.2025 passed by the Judicial Magistrate V, Vellore in Crl.M.P.No. 12634/2025 in Crime No. 396/2024 and direct to release the vehicle Ashok Leyland Lorry bearing reigstration number TN-39, AM -5584 and engine No. CPH452804 and Chasis No. CPE615735 owned by the petitioner by allowing this Criminal Revision Petition.

For Petitioner(s): D.Thirumoorthy

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



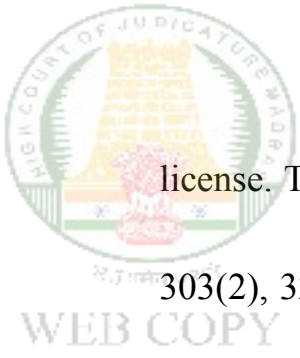
ORDER

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This Criminal Revision has been filed challenging the order dated 10.10.2025 passed by the learned Judicial Magistrate V, Vellore in CrI.M.P.No. 12634/2025 in Crime No. 396/2024 and direct to release the vehicle Ashok Leyland Lorry bearing registration number TN-39, AM -5584 and engine No. CPH452804 and Chasis No. CPE615735 owned by the petitioner by allowing this Criminal Revision Petition.

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

3. The petitioner owned a Ashok Leyland Lorry bearing registration number TN-39, AM -5584, pursuant to the registration of FIR in Crime No.396 of 2024, on the file of the respondent Police, the Ashok Leyland Lorry owned by the petitioner was seized by the respondent alleging that the vehicle was found illegally transporting 1 units of river Sand, without any permission or



license. The case has been registered for the offence punishable under Sections 303(2), 326(a) of BNS, as against the Driver of the Lorry and others. The said vehicle was produced before the learned Judicial Magistrate – V, Vellore.

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

5. Even according to the case of the prosecution, the petitioner is the absolute owner of the said vehicle and the vehicle is used solely for the purpose of Agricultural activities. Further 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.12634 of 2025 dated 10.10.2025 by the learned Judicial Magistrate – V, Vellore, is hereby set aside. The learned Judicial Magistrate – V, Vellore, is directed to return the Ashok Leyland Lorry bearing registration number TN-39, AM -5584 and engine No. CPH452804 and Chasis No. CPE615735, to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Twenty five thousand only), **as non-refundable deposit to the credit of Advocates Clerks Association, Vellore**, and on such deposit, the vehicle is ordered to be released.

(ii) the petitioner is directed to execute an own bond for a sum of Rs.25,000/- (Rupees Twenty five thousand only) to the satisfaction of the concerned Magistrate to the credit of Crime No.396 of 2024 pending on the file of the respondent police.

(iii) the petitioner shall deposit the original registration certificate of the



vehicle with the concerned Magistrate.

(iv) 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.

(v) the petitioner shall not alienate and shall not make any alteration in the vehicle.

(vi) the petitioner shall produce the vehicle before the Court and before the respondent police as and when required;

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

7. Accordingly, the Criminal Revision Case stands allowed.

29-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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1.State By The Inspector of Police
Sathuvacharry Police Station, Vellore
District. Crime No. 396/2024.

2.The Judicial Magistrate-V, Vellore.

3.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.
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