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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2025

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.R.C.No.2244 of 2025

Sathyaraj

... Petitioner

Vs.

State rep by

The Inspector of Police,
Attur Town Police Station,
Salem District
(Crime No.258 of 2024)

... Respondent

PRAYER : This petition is filed under Section 438 r/w 442 of BNSS Act to allow the above Criminal Revision case by setting aside order dated 23.09.2025 passed in Crl.M.P.No.1206 of 2025 on the file of Judicial Magistrate Court No.1, Attur and pass orders.

For Petitioner : Mr.K. Govi Ganesan

For Respondent : Dr.C.E. Pratap, Government Advocate

ORDER

This Criminal Revision Case has been filed to allow the above Criminal Revision case by setting aside order dated 23.09.2025 passed in Crl.M.P.No.1206



of 2025 on the file of Judicial Magistrate Court No.1, Attur and pass orders.

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2. The facts of the case is that the petitioner along with other accused alleged to have transported illegal banned products in the vehicle in question. It is stated that a sum of Rs.4,87,570/- was in the vehicle, which was the sale proceeds of the banned tobacco products. The respondent police seized the alleged vehicle and also the cash. Challenging the same the petitioner filed a petition under Section 503 and 497 of BNSS and the same was dismissed. Aggrieved over the same, the petitioner has come up with this petition.

3. The learned counsel for the petitioner submits that the vehicle in question was bought from the loan availed from the bank and the said amount is kept for re-paying the said loan. He further submits that the petitioner is no way connected with the sale of the banned tobacco products. Hence, prays to allow this petition.

4. The learned Government Advocate appearing for the respondent submitted that the petitioner along with other accused involved in the act of



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selling the banned tobacco products, due to which the vehicle involved in the said illegal act and the cash accrued from the sale proceeds of the banned tobacco products is seized. Hence, prays to dismiss this petition.

5. Heard both sides and perused the materials available on record.

6. On a perusal of records it is seen that the petitioner along with other accused were selling the banned tobacco products, due to which the respondent police has seized the petitioner's vehicles and other 3 vehicles including the cash in the vehicle. Hence, *prima facie* material is available against the petitioner. Therefore, the petitioner is not entitled to seek return of the money till the final disposal of the case.

7. This Court is of the view, that the observation and finding made by the learned Judge needs no interference as the same is perfectly valid in the eye of law. Therefore, the order passed in Crl.M.P.No.1206 of 2025 by the Judicial



Magistrate Court No.1, Attur on 03.09.2024 is confirmed and this Criminal

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Revision case is dismissed.

04.11.2025

smn

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

T.V.THAMILSELVI, J.

smn

To

1. The Inspector of Police,
Attur Town Police Station,
Salem District

2. The Judicial Magistrate Court No.1, Attur

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04.11.2025