



WEB COPY

CRL RC No. 2161 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2161 of 2025

1. SATHIYAPRIYA

W/o.Vennilavan, No.226, Eri Street,
T.Keeranur Village, T.K.Mandapam,
Thirukoilur Taluk, Kallakurichi
District-605 766.

Petitioner(s)

Vs

1. The State Rep by, The Inspector of
Police,
Thirukoilur Police Station, Kallakurichi
District. Cr.No.382/2025.

Respondent(s)

PRAYER

To set aside the order passed in Crl.M.P.No.804/2025 on the file of the Judicial Magistrate at Thirukoilur, dated 06.10.2025.

For Petitioner(s): U.Kathiravan

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

**ORDER**

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This Criminal Revision Petition has been filed to set aside the order passed in Crl.M.P.No.804 of 2025 dated 06.10.2025 on the file of learned Judicial Magistrate, Thirukoilur.

2. The impugned order passed in Crl.M.P.No.804/2025 by the learned Judicial Magistrate, Thirukoilur, dated 06.10.2025 would go to show that the said property viz., Ashok Leyland Lorry bearing Reg.No.TN-88-L-4007 has been seized for the alleged occurrence of mining of sand. As per G.O.No.28/2022 dated 04.07.2024, the time limit for mining sand is 7 am to 6 pm and as per the records, the alleged occurrence had taken place at 5.45 a.m. on 01.07.2025 and therefore, the petitioner who has not followed the time mentioned in the permit in G.O., was caught red handed and the property viz., the Lorry used for sand mining was confiscated. The learned Judge, further observed that the prosecution has also given a request to the concerned authorities for confiscation of vehicle and therefore, considering the nature of stage of investigation and the initiation of confiscation proceedings and the nature of offence, rejected the prayer sought for by the petitioner.

3. When confiscation process is pending, there is a bar under Section 6E of the Essential Commodities Act, 1955 for return of property. Therefore, this



court agree with the conclusion arrived at by the Trial Court and there is no merit in this Criminal Revision Petition. Further, if this petition is allowed, there is possibility of the petitioner indulging in committing offences of similar nature. Accordingly, this Criminal Revision Petition is dismissed.

28-10-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
mpa

To

1. The State Rep by, The Inspector of
Police,
Thirukoilur Police Station, Kallakurichi
District. Cr.No.382/2025.

2. The Public Prosecutor
High Court of Madras.



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T.V.THAMILSELVI J.
mpa

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