



## **Crl.R.C.No.2199 of 2025**

**T.V.THAMILSELVI, J.**

Today, this Criminal Revision Case is listed under the caption, “For Being Mentioned” at the instance of learned counsel for petitioner.

2. The learned counsel for petitioner submitted that this Court vide Order dated 30.10.2025, allowed Crl.R.C.No.2199 of 2025. Operative portion of the said order reads as follows:

*“8. Accordingly, Order dated 15.10.2025 in Crl.M.P.No.388 of 2025 in P.R.C.No.27 of 2025 passed by the learned Judicial Magistrate, Palladam is set aside and the respondent Police is directed to return the seized vehicle, Mahindra Bolero (Rocky Bieg Colour) bearing Registration No.TN 78 A 2323 to the petitioner subject to the following conditions:*

*(i) The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the concerned learned Magistrate to the credit of*



*Crime No.127 of 2025 pending on the file of respondent Police.*

*(ii) The petitioner shall deposit the original RC Book of the vehicle with the concerned learned Magistrate.*

*(iii) The concerned learned Magistrate shall not hand over the original RC Book of the vehicle to the petitioner till the completion of trial.*

*(iv) The seized vehicle should be photographed at the cost of petitioner and a list has to be prepared and the same has to be signed by the petitioner.*

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

*(vi) The petitioner shall produce the vehicle before the respondent Police on every Saturday at 10.30. a.m and he shall also produce the vehicle before the Court, as and when required.*

*(vii) If any of the above conditions are violated, this order shall stand automatically cancelled.”*

2.1. It is further submitted by the learned counsel for petitioner that in



Paragraph No.8(ii) of the Order dated 30.10.2025 in Crl.R.C.No.2199 of 2025, it has been stated that petitioner shall deposit the original RC Book of the vehicle with the concerned learned Magistrate. The petitioner is not having the original RC Book of the vehicle since he is the second-hand owner of said vehicle. Therefore, the learned counsel for petitioner prayed that Paragraph No.8(ii) of the said order may be modified.

3. The learned Government Advocate (Crl.Side) appearing on behalf of respondent Police submitted that he has no serious objection for modifying Paragraph No.8(ii) of the Order dated 30.10.2025 in Crl.R.C.No.2199 of 2025.

4. Considering the submissions made by the learned counsel on either side, this Court is inclined to modify Paragraph No.8(ii) of the Order dated 30.10.2025 in Crl.R.C.No.2199 of 2025. Accordingly, the same is modified



as follows:

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*“(ii) The petitioner shall deposit a copy of original RC Book of the vehicle with the concerned learned Magistrate.”*

5. In all other aspects, Order dated 30.10.2025 in CrI.R.C.No.2199 of 2025 passed by this Court, shall remain unaltered. Registry is directed to issue a fresh order copy to all concerned, after carrying out the aforesaid correction.

**28.11.2025**

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Index: Yes/No

Speaking Order (or) Non-Speaking Order

**T.V.THAMILSELVI, J.**

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**Dated : 30.10.2025**

**Coram:**

**The Honourable Mrs.Justice T.V.THAMILSELVI**

**Crl.R.C.No.2199 of 2025**

Alavudeen

...Petitioner

Versus

The State Represented by  
The Inspector of Police,  
Avinashipalayam Police Station,  
Tiruppur District.  
(Crime No.127 of 2025)

...Respondent

This Criminal Revision Case is filed under Section 438 r/w. 442 of BNSS, 2023 praying to set aside the Order dated 15.10.2025 passed in Crl.M.P.No.388 of 2025 in P.R.C.No.27 of 2025 by the learned Judicial Magistrate, Palladam, in connection with Crime No.127 of 2025, for the offences under Sections 126(2), 319(2), 140(3) and 309(4) BNS, read with Sections 126(2), 319(2), 140(3) and 310(2) BNS on the file of the respondent Police and direct the respondent herein to return the petitioner's vehicle Mahindra Bolero (Rocky Beig Colour) bearing Registration No.TN 7/12



78 A 2323.

For Petitioner : Mr.M.Govindaraju  
For Respondent : Dr.C.E.Pratap,  
Government Advocate (Crl.Side)

### **ORDER**

This Civil Revision Case has been filed by the petitioner seeking to set aside the Order dated 15.10.2025 in Crl.M.P.No.388 of 2025 in P.R.C.No.27 of 2025 passed by the learned Judicial Magistrate, Palladam, in connection with Crime No.127 of 2025, for the offences under Sections 126(2), 319(2), 140(3) and 309(4) BNS, read with Sections 126(2), 319(2), 140(3) and 310(2) BNS on the file of respondent Police and direct the respondent Police to return the petitioner's vehicle Mahindra Bolero (Rocky Beig Colour) bearing Registration No.TN 78 A 2323.

2. The petitioner is the owner of vehicle, Mahindra Bolero (Rocky Bieg Colour) bearing Registration No.TN 78 A 2323. The petitioner



purchased the said vehicle out of his own funds. The petitioner was arrayed as Accused No.3 in the case in Crime No.127 of 2025 registered by the respondent Police for the offence under Sections 126(2), 319(2), 140(3) and 309(4) BNS r/w. Sections 126(2), 319(2), 140(3) and 310(2) BNS. In connection with the said case, the respondent Police had seized the petitioner's vehicle Mahindra Bolero (Rocky Bieg Colour) bearing Registration No.TN 78 A 2323 and produced the same before the Judicial Magistrate Court, Palladam. Therefore, the petitioner filed a petition in CrI.M.P.No.388 of 2025 in P.R.C.No.27 of 2025 before the Judicial Magistrate Court, Palladam praying to return his vehicle which was seized by the respondent Police in connection with the case in Crime No.127 of 2025. However, the learned Judicial Magistrate, Palladam vide Order dated 15.10.2025, dismissed CrI.M.P.No.388 of 2025 in P.R.C.No.27 of 2025 for the reasons that the case property (petitioner's vehicle) is very essential on prosecution side to mark as material object and further, since the petitioner's



vehicle was used for preparation of alleged offence, allowing of this petition will lead to recurrence of similar offence. Hence, the petitioner has filed the present Criminal Revision Case for the relief stated *supra*.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is ready to abide any condition to be imposed by this Court. He further submitted that from the date of seizure, the seized vehicle has been kept in sunlight and rain. If the seized vehicle is kept idle by exposing it to rain and shine, its value would be certainly deteriorated. Therefore, the learned counsel prayed that appropriate direction may be issued to the respondent Police to return the petitioner's vehicle to petitioner.

4. On the other hand, the learned Government Advocate (Crl.Side) appearing on behalf of the respondent Police submitted that *de-facto*



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complainant viz., Mr.Venkatesan had lodged a complaint to the respondent Police stating that on 04.03.2025, while he was going to Coimbatore with a cash of Rs.1,15,00,000/- for his business, the accused intercepted his car on the way and stole his two mobile phones, his acting driver's mobile phone and Rs.1,10,00,000/- cash which was taken by him. Based on the complaint given by *de-facto* complainant, the respondent Police had registered a case n Crime No.127 of 2025 against the accused, pursuant to which, the respondent Police arrested the suspects and seized the stolen cash from them. He further submitted that the petitioner has used his vehicle for the alleged criminal activity and hence, the trial Court has dismissed the petitioner's Application.

5. Heard the learned counsel for petitioner as well as the learned Government Advocate (Crl.Side) appearing for respondent Police.



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6. As far as this case is concerned, the petitioner is Accused No.3 in Crime No.127 of 2025 on the file of respondent Police. The petitioner's vehicle, Mahindra Bolero (Rocky Bieg Colour) bearing Registration No.TN 78 A 2323 was seized by the respondent Police in connection with the case in Crime No.127 of 2025. The petitioner bought the said vehicle out of his own income. The case of the prosecution is that the petitioner has used the said vehicle for the alleged criminal offence.

7. Considering the fact that the seized vehicle is essential on prosecution side to mark as material object and also, taking note of the provision under Section 451 of Cr.P.C and Section 497(1) of BNSS, 2023 which deal with the proper custody of property involved in criminal proceedings, this Court is inclined to set aside the impugned order and to grant the interim custody of the seized vehicle to petitioner.



8. Accordingly, Order dated 15.10.2025 in CrI.M.P.No.388 of 2025 in

P.R.C.No.27 of 2025 passed by the learned Judicial Magistrate, Palladam is set aside and the respondent Police is directed to return the seized vehicle, Mahindra Bolero (Rocky Bieg Colour) bearing Registration No.TN 78 A 2323 to the petitioner subject to the following conditions:

(i) The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the concerned learned Magistrate to the credit of Crime No.127 of 2025 pending on the file of respondent Police.

(ii) The petitioner shall deposit the original RC Book of the vehicle with the concerned learned Magistrate.

(iii) The concerned learned Magistrate shall not hand over the original RC Book of the vehicle to the petitioner till the completion of trial.

(iv) The seized vehicle should be photographed at the cost of petitioner and a list has to be prepared and the same has to be signed by the



petitioner.

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

(vi) The petitioner shall produce the vehicle before the respondent Police on every Saturday at 10.30. a.m and he shall also produce the vehicle before the Court, as and when required.

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

9. This Criminal Revision Case shall stand allowed on the above terms.

**30.10.2025**

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Index: Yes/No

Speaking Order (or) Non-Speaking Order

To

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1.The Judicial Magistrate,  
Palladam.

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2.The Inspector of Police,  
Avinashipalayam Police Station,  
Tiruppur District.

3.The Public Prosecutor,  
High Court, Madras.

**T.V.THAMILSELVI, J.**

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Crl.R.C.No.2199 of 2025

30.10.2025