



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2602 of 2025

Vs

CRL RC No. 2602 of 2025

PRAYER

To set aside the order dated 25.10.2025 made in CRL.M.P.No.2241 of 2025 on the file of the Principal Special Court under EC and NDPS Act, Chennai and allow the above Criminal Revision.

CRL RC No. 2602 of 2025



ORDER

This Criminal Revision Case has been filed to set aside the order dated 25.10.2025 made in CRL.M.P.No.2241 of 2025 on the file of the Principal Special Court under EC and NDPS Act, Chennai and allow the above Criminal Revision.

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

3. The petition herein filed CRL.M.P.No.2241 of 2025 on the file of the Principal Special Court under EC and NDPS Act, Chennai ,seeking return of Bajaj Auto bearing Reg.No.TN07-DA-8769, which was seized by the respondent police. The petitioner is the owner of seized vehicle and he is the third party and he has no knowledge about the crime.

2.The respondent police have seized 1.500 Kgs of ganja from the accused person and also Bajaj Auto bearing Reg.No.TN07-DA-8769, which was seized by the respondent police. The case has been registered for the offence punishable under Sections 8(c) r/w 20(b)(ii)(B), of NDPS Act in crime No. 483 of 2024. The petitioner is not arrayed as accused. The said vehicle was produced before the Principal Special Court Under EC and NDPS Act at Chennai.

4. The learned Government Advocate (Crl. side) would submit that the petitioner has not involved in the crime and there is no previous case against him.

5. Even according to the case of the prosecution, the petitioner has not



involved in the case and there is no previous case against him. 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.MP.No.2241 of 2025 dated 25.10.2025 by the Principal Special Court Under EC and NDPS Act at Chennai, is hereby set aside. The learned Principal Special Court Under EC and NDPS Act at Chennai, is directed to return the Bajaj Auto bearing Reg.No.TN07-DA-8769 to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute an own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the concerned Magistrate to the credit of Crime No.483 of 2024 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 allowed.

pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Principal Special Court Under EC and NDPS Act at Chennai