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CRL RC No. 2474 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2474 of 2025

MANIKANDAN

S/o. Subramani,
2.260, Mel Choodapuram, Belathur,
Hosur, Krishnagiri District.

Petitioner(s)

Vs

The State rep by The Inspector of
Police
Bagalur Police Station Krishnagiri
District. Crime No.267 of 2025.

Respondent(s)

CRL RC No. 2474 of 2025

PRAYER

To set aside the order dated 19.09.2025 made in CrI.M.P.No.957 of 2025 on the file of the Judicial Magistrate No.1, Hosur, in Crime No.267 of 2025 on the file of the respondent police to the petitioner herein.



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For Petitioner(s): Mr. P.M.Jayachandran

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

ORDER

This Criminal Revision Case has been filed challenging the order dated 19.09.2025 passed in Crl.M.P.No.957 of 2025 by the learned Judicial Magistrate No.I, Hosur, thereby dismissing the petition filed for return of vehicle, viz., Tipper Lorry bearing Registration No.KA-51 D-1652.

2. The case of the prosecution is that, based on an information, the respondent police proceeded to the scene of occurrence and found that the petitioner along with other accused were involved in illegal transportation of river sand in tipper lorry without any valid license. Hence, a case has been registered in Crime No.267 of 2025 for the offences under Sections 303(2) of BNS and 21(1), 21(4) of MM Act. Pursuant to the registration of the FIR, the vehicle involved was seized and produced before the Judicial Magistrate No.I, Hosur.

3. The learned counsel appearing for the petitioner would submit that he is the owner of vehicle and sought for return of vehicle, which was involved in illegal transportation of river sand. He also submitted that the petitioner is ready



and willing to abide by any conditions that may be imposed by this Court for the release of the vehicle.

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4. The learned government Advocate (Crl. Side) would submit that the the vehicle in question was involved in an offence under MM Act. Hence, he objected for return of the vehicle.

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

6. Even according to the case of the prosecution, the petitioner is the owner of vehicle and the vehicle in question was involved in an offence under MM Act. 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.

7. Considering the facts and circumstances of the case, this Court is inclined to order return of the vehicle to the petitioner and accordingly, the order dated 19.09.2025 passed in Crl.M.P.No.957 of 2025 on the file of the Judicial



Magistrate No.I, Hosur, is hereby set aside. The learned Judicial Magistrate No.I, Hosur, is directed to return the Tipper Lorry bearing Registration No.KA-51 D-1652. to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) as non-refundable deposit to the satisfaction of the concerned Magistrate to the credit of Crime No.267 of 2025 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.

8. Accordingly, the Criminal Revision Case stands allowed.

21-11-2025



Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Judicial Magistrate No.I, Hosur.

2. The Inspector of Police, Bagalur Police Station, Krishnagiri Dt.

3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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