



Crl.R.C.No.2617 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2025

CORAM

THE HONOURABLE MR.JUSTICE **SUNDER MOHAN**

Crl.R.C.No.2617 of 2025

Ravi Appaji

...Petitioner/Petitioner

Vs.

The State
Rep. by the Inspector of Police,
T-1, Tambaram Police Station,
Chennai – 600 045.
(Crime No.154 of 2025).

...Respondent/Respondent

PRAYER : Criminal Revision Petition filed under Section 438 and 442 of BNSS, 2023, to call for the records relating to the Order dated 08.09.2025 passed by the Learned Judicial Magistrate No.I, Tambaram, in Crl.M.P.No.1745 of 2024 and set aside the same.

For Petitioner : Mr.G.Mageshkumar

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



ORDER

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The Criminal Revision is to set aside the impugned order passed by the learned Judicial Magistrate No. I, Tambaram, in Crl.M.P.No.1745 of 2025 dated 08.09.2025, refusing to release the petitioner's vehicle, viz., a THAR bearing Reg.No.TN 19 BB 0024, and a mobile phone, VIVO 30 IMEI Nos.186378065871470 and 186378065871462.

2. The petitioner is an accused facing prosecution in P.R.C No.18 of 2025 for the offences under Sections 140(10), 115(1), 103(1), 308(2) and 61(2) of BNSS 2023.

3. The petitioner's vehicle bearing Reg.No.TN 19 BB 0024, besides his mobile phone VIVO 30, was seized during the course of the investigation. The petitioner had sought for the return of the said vehicle and the phone before the learned Judicial Magistrate No. I, Tambaram, which came to be dismissed by the impugned order dated 08.09.2025.



the prosecution, by the petitioner and other accused. The petitioner's vehicle was seized on 19.03.2025. The said vehicle cannot be kept idle at the police station, and its value cannot be allowed to be diminished, as held by the Hon'ble Supreme Court. The petitioner as the owner of the vehicle is the proper person entitled to the custody of the vehicle. Hence, this Court is inclined to return the vehicle bearing Reg.No.TN 19 BB 0024 to the petitioner. However, as regards the mobile phone, it is seen that the respondent require the same to be marked in the trial Court. Therefore, this Court is not inclined to entertain the petition insofar as the mobile phone is concerned.

8. Accordingly, this Criminal Revision Case is partly allowed, and the impugned order dated 08.09.2025 passed by the learned Judicial Magistrate No.I, Tambaram in Crl.M.P.No.1745 of 2025 in Crime No.154 of 2025 is partly set aside. In view of the same, the learned Magistrate is directed to return the vehicle, viz., THAR bearing Reg No.TN 19 BB 0024, to the petitioner on the following conditions:



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(i) The petitioner shall execute a personal bond for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate No.I, Tambaram;

(ii) The petitioner shall produce the original RC Book along with a self-attested Photostat copy of the RC Book of the vehicle and other relevant records to prove his ownership. The learned Judicial Magistrate No.I, Tambaram, shall peruse the RC book and other records, retain a xerox copy of the same and return the original RC book to the petitioner;

(iii) The petitioner shall not alter or alienate the vehicle in any manner;

(iv) The petitioner shall also give an undertaking that he will produce the vehicle as and when required by the respondent and by the Court below.

(v) The return of property would be subject to the result of the confiscation proceedings, if any.

01.12.2025

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Index : Yes/No

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No



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To

WEB COPY

- 1.The Judicial Magistrate No.I,
Tambaram.
- 2.The Inspector of Police,
T-1, Tambaram Police Station,
Chennai – 600 045.
- 3.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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