



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. 2605 of 2025

Vs

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PRAYER

To call for the records connected with the Impugned order passed by the Learned Principal Special Court Under EC and NDPS Act at Chennai in Crl.MP.No.6325 of 2025 dated 24.11.2025 and set aside the same and pass such further or other orders as this Court.

CRL RC No. 2605 of 2025

ORDER



This Criminal Revision Case has been filed to call for the records connected with the Impugned order passed by the Learned Principal Special Court Under EC and NDPS Act at Chennai in CrI.MP.No.6325 of 2025 dated 24.11.2025 and set aside the same.

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

3. The petitioner herein filed Miscellaneous petition under Section u/s.497 and 503 of BNSS, 2023 seeking return of Goods Carrier Eicher Pro bearing Reg.No.TN87-E-1614 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 and he had purchased the afore-said vehicle through Cholamandalam Investment & Finance and the same had been given to the 1st accused for rental purpose and at the time of arrest of A1, the respondent police had seized 4.030 Kgs of ganja and 225 numbers of Nitrovet Tablets from the accused person and also seized the the petitioner's vehicle. The case has been registered for the offence punishable under Sections 8(c) r/w 20(b)(ii)(B), 22(b)., 25 and 29(1) of NDPS Act and under Section 77 of JJ Act and Sections 123 and 278 of BNS in crime No. 122 of 2025. 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.



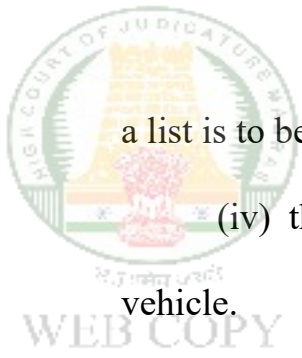
5. Even according to the case of the prosecution, the petitioner has not involved in the case. Further the provision under Section 451 of Cr.P.C./497(1) of BNSS provides for protection of the property from degradation due to non maintenance in the custody of the police as it takes long time for conclusion 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.6325 of 2025 dated 24.11.2025 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 Eicher Pro bearing Reg.No.TN87-E-1614 to the petitioner, forthwith on the following conditions:-

(i) the petitioner is directed to execute an own bond for a sum of Rs.1,00,000/- (Rupees One lakh only) to the satisfaction of the concerned Magistrate to the credit of Crime No.122 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. Further, the petitioner shall deposit a sum of Rs.30,000/- to the credit of registered Advocate Clerks Association, Kancheepuram.

(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

To
The Principal Special Court Under EC and NDPS Act at Chennai