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Crl.R.C.No.2672 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.2672 of 2025

Megala

... Petitioner

Vs.

State Represented by
Inspector of Police,
PEW Maduranthakam Police Station,
Chennai.
Crime No.356 of 2025

...Respondent

PRAYER: Criminal Revision Petition filed under Section 442 of BNSS to call for the records pertaining to set aside the order passed in Crl.M.P.No.426 of 2025 on the file of the learned District Munsif Cum Judicial Magistrate, Cheyyur dated 19.11.2025 consequently to return the case property to the petitioner which was seized by the respondent police in Crime No.356 of 2025 bearing Reg.No.TN19BS6864.

For Petitioner : Mr.S.Bhuvaneshwaran

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



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JUDGMENT

This revision challenges the dismissal of the petitioner's application seeking return of his vehicle bearing bearing Reg.No.TN19BS6864 which is said to be involved in a case filed against the husband.

2. The petitioner's husband is alleged to be involved in a case registered in a crime No.356 of 2025 registered for the offence under Sections 4(1)(A) TNP Admendment Act for possession of 25 Nos of brandy bottles. The petitioner's husband used the said vehicle for commission of offence. The respondent during the course of investigation, seized the said vehicle on 24.10.2025. The petitioner filed a petition seeking return of the said vehicle which was opposed by the respondent. The trial court dismissed the petition on the ground that the confiscation proceedings have been initiated and hence cannot be returned.

3. The learned counsel for petitioner would submit that the petitioner has no previous cases ; that from the date of seizure, the vehicle is kept idle in an open place subject to vagaries of weather; that he is the owner of the



vehicle and that the vehicle may be returned to the petitioner on any stringent conditions.

4. The learned Government Advocate (crl.side), per contra, submitted that the confiscation proceedings have been initiated and the show cause notice was also issued against the petitioner on 31.10.2025 for confiscating the petitioner's vehicle.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (crl.side) appearing for the respondent and perused the records.

6. Though respondent have initiated the confiscation proceedings, this court is of the view that the vehicle cannot be allowed to be kept idle in an open place in the police station and subjected to vagaries of the weather. Since the petitioner is the owner of the vehicle, the interim custody of the vehicle can be handed over to the petitioner on stringent conditions and subject to the resolution of the confiscation proceedings. In the above said circumstances, this Court is inclined to direct return the vehicle to the



petitioner. It is needless to state that if the vehicle is used once again for the commission of any offence, no indulgence would be shown to the petitioner.

7. Accordingly, this **Criminal Revision Case is allowed** and the impugned order dated 19.11.2025 passed in Crl.MP No.426 of 2025 in Crime No.356 of 2025 by the District Munsif cum Judicial Magistrate, Cheyyur is set aside. In view of the same, the respondent is directed to return the vehicle to the petitioner on the following conditions -

(i) The petitioner shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a likesum to the satisfaction of the learned District Munsif Cum Judicial Magistrate, Cheyyur ;

(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 District Munsif cum Judicial Magistrate, Cheyyur 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;



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(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.

sma

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Index : Yes/No

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No



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SUNDER MOHAN, J.

sma

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- To
- 1.The District Munsif Cum Judicial Magistrate, Cheyyur.
 - 2.Inspector of Police,
PEW Maduranthakam Police Station,
Chennai.
 - 3.The Public Prosecutor,
High Court, Madras.

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