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Crl.R.C.No.2700 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2025

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C.No.2700 of 2025

Rajendiran

...Petitioner

-Vs-

The State Rep. By
The Inspector of Police,
Vikravandi Police Station,
Villupuram.
Crime No.559 of 2025

...Respondent

PRAYER: Criminal Revision Petition is filed under Section 397 of Cr.P.C./
Section 438 of BNSS to call for the records and set aside the order passed in
Crl.M.P.No.1162 of 2025 (in the Court of the learned District Munsif cum
Judicial Magistrate, Vikravandi) dated 14.11.2025, and pass such further
orders.

For Petitioner : Mr.D.Ashok Kumar

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



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ORDER

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The revision petition challenges the dismissal of the petitioner's application filed under Section 497 of BNSS Act seeking interim custody of the vehicle bearing registration No.TN 25 CC 5704.

2. It is the case of the prosecution that the petitioner's vehicle was used by the petitioner's friend for the purpose of committing an offence under Sections 4(1)(A), 4(1)(C), 14(A) of TNP Amendment Act. During the course of investigation, the petitioner's vehicle was seized by the respondent police. The petitioner had sought for return of the vehicle, which was dismissed by the learned Magistrate on the ground that confiscation proceedings are pending.

3. The learned counsel for the petitioner would submit that the vehicle has been kept idle since the date of seizure (i.e.) 17.10.2025; and that he shall abide by any stringent conditions that may be imposed by this Court for return of his vehicle.

4. The learned Government Advocate (Crl.Side) per contra, would submit that confiscation proceedings have already been initiated and that notice has been issued to the petitioner on 25.11.2025 by the Deputy



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Superintendent of Police, Prohibition Enforcement Wing, Villupuram.

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5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.Side) appearing for the respondent and perused the materials available on record.

6. Admittedly, the petitioner is the owner of the vehicle. The vehicle is kept idle in an open place in the police station since 17.10.2025 and subjected to vagaries of the weather. In the light of the above, this Court is of the view that the petitioner would be the proper person entitled to interim custody and the vehicle can be returned to him on stringent conditions subject to the result of the confiscation proceedings.

7. Accordingly, this Criminal Revision Case is allowed and the impugned order dated 14.11.2025 made in Crl.M.P.No.1162 of 2025 on the file of the learned District Munsif cum Judicial Magistrate, Vikravandi, 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.2,00,000/- (Rupees Two Lakh Only) with two sureties for a likesum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Vikravandi;



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SUNDER MOHAN, J.

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(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, Vikravandi, 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.

09.12.2025

cda

To

- 1.The District Munsif cum Judicial Magistrate, Vikravandi.
- 2.The Inspector of Police,
Vikravandi Police Station,
Villupuram.
- 3.The Public Prosecutor,
High Court, Madras.

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