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CRL RC No. 2835 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 2835 of 2025

1. Inurrila

W/o. Mohammed Bukhari, No.15/48,
Indira Nagar, 1st lane, C.S.Colony,
Adaiyar, Chennai District.

Petitioner(s)

Vs

1. State Rep.by, The Inspector of Police,
G-3, Kilpauk Police Station, Chennai District. Cr.No.257 of 2025.

Respondent(s)

PRAYER

Criminal Revision is filed under Section 438 read with Section 442 of BNSS to set aside the order passed in Crl.M.P.No.14728/2025 dated 27.10.2025 passed by the learned II Metropolitan Magistrate Egmore, Chennai - 08.

For Petitioner(s): P.Muthamizhselvakumar

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

ORDER

The Criminal Revision Case has been filed challenging the dismissal order passed in the petitioner's application seeking return of his property seized in connection with Crime No.257 of 2025



2. The petitioner is an accused in the aforesaid case and the vehicle bearing Registration No.TN-12-AP-1527 is seized during the course of investigation. He sought for return of vehicle before the learned Judge. The learned Judge dismissed the said petition on the ground that the vehicle belonging to the petitioner was used for transporting Ganja.

3. The learned counsel for the petitioner would submit that the petitioner is the owner of the vehicle, entitled to interim custody of the vehicle; that he would abide by any stringent conditions that may be imposed by this Court for return of the vehicle; that the vehicle is now lying idle at the police station and subjected to vagaries of weather, thereby deprecating its value; and therefore, prayed for interim custody of the vehicle.

4. The learned Government Advocate (Crl.Side), *per contra* submitted that the petitioner is an accused; and that the vehicle is liable for confiscation; and hence, the revision may be dismissed.

5. Considering the fact that the petitioner is the owner of the vehicle and he is the proper person entitled to interim custody of the vehicle pending disposal of the case, and the fact that the vehicle is subjected to vagaries of



weather, this court is inclined to set aside the impugned order dated 27.10.2025 passed by the learned II Metropolitan Magistrate, Egmore, Chennai-08 in Crl.M.P.No.14728 of 2025 in Crime No.257 of 2025. Accordingly the impugned order is set aside and the respondent is directed to hand over the interim custody of the vehicle to the petitioner on the following conditions:-

(i) The petitioner shall execute a personal bond for a sum of Rs.3,00,000/- (Rupees Three Lakhs only) with two sureties for a likesum to the satisfaction of the learned II Metropolitan Magistrate, Egmore, Chennai-08;

(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 II Metropolitan Magistrate, Egmore, Chennai-08, 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, if any.

19-12-2025

dpa
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No

To

1. The II Metropolitan Magistrate, Egmore, Chennai-08.
2. The Inspector of Police,
G-3, Kilpauk Police Station,
Chennai District.
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN J.
dpa

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19-12-2025