



Crl.R.C.(MD)No.182 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.182 of 2025

and

Crl.M.P.(MD)No.1848 of 2025

S.Selvakumar
on behalf of
V.M.Muthukumar

... Petitioner

Vs.

The State of Tamil Nadu rep by its through
The Inspector of Police,
Devathanapatti Police Station,
Theni District.
(Crime No.153 of 2019)

... Respondent

PRAYER : Criminal Revision Petition filed under Section 438 r/w 442 BNSS, to call for the records and set aside the order made in Crl.M.P.No. 2362 of 2024 in C.C.No.58 of 2020 on the file of the learned I Additional Special Court for Trial of NDPS Act Cases, Madurai dated 05.11.2024 and grant necessary relief.

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondent : Mrs.M.Aasha
Government Advocate (Crl. Side)



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ORDER

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The Criminal Revision is directed against the order passed in Crl.M.P.No.2362 of 2024 in C.C.No.58 of 2020 dated 05.11.2024 on the file of the I Additional Special Court for Trial of NDPS Act Cases, Madurai, dismissing the petition filed under Section 451 Cr.P.C. r/w 497 BNSS for return of original RC book on interim custody.

2. When the matter was taken up for hearing on 14.02.2025, considering the submission made by the learned counsel appearing for the petitioner that the petitioner is ready to produce the vehicle in dispute before the concerned Court, this Court directed the petitioner to produce the vehicle before the concerned Court on 19.02.2025 at about 10.00 a.m. and also directed the respondent police not to seize the vehicle till then.

3. The learned counsel appearing for the petitioner would submit that in pursuance of the said direction, the vehicle was produced before the concerned Court on 19.02.2025 and the learned Additional District Judge has directed the petitioner to produce the vehicle again on 21.02.2025 and in pursuance of the same, the vehicle was produced and again on 27.02.2025.



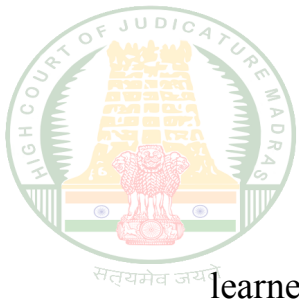
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4. It is pertinent to note that the learned Additional District Judge has dismissed the petition seeking interim custody of the original RC book on the ground that the petitioner has not complied with the direction of this Court to produce the vehicle once in three months and that since the petitioner has been intentionally disobeying the orders of this Court, he was not inclined to pass any orders in the said petition and while dismissing the petition, directed the respondent police to seize the vehicle and file a compliance report within 30 days.

5. Subsequent to the present revision, in pursuance of the direction of this Court, the petitioner has produced the vehicle thrice before the concerned Court.

6. Considering the above and also taking note of the production of the vehicle, this Court is of the view that the impugned order is liable to be set aside and the matter has to be remitted back to the learned Additional District Judge to consider the said petition afresh and pass orders in accordance with law. Accordingly, the impugned order dated 05.11.2024 is hereby set aside and the matter is remanded back to the



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learned Additional District Judge, I Additional Special Court for Trial of NDPS Act cases, Madurai. The learned Additional District Judge is directed to consider the said petition afresh and pass orders in accordance with law. However, since the petitioner has not complied with the earlier direction of this Court, the petitioner is directed to produce the vehicle before the trial Court once in a month i.e., on the first working day of every English calendar month for three months and thereafter, once in three months, as directed earlier.

7. With the above directions, this Criminal Revision Case is disposed of . Consequently, connected Miscellaneous Petition is closed.

No costs.

28.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

Note : Issue order copy on 04.03.2025

To

1.The Additional District Judge,
I Additional Special Court for Trial of NDPS Act Cases,



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- Madurai.
- 2.The Inspector of Police,
Devathanapatti Police Station,
Theni District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
CrI.R.C.(MD)No.182 of 2025
and
CrI.M.P.(MD)No.1848 of 2025

Dated: 28.02.2025