



Crl.R.C.(MD)No.153 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2025

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THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.153 of 2025

Magudeeswari

... Petitioner

Vs.

State rep.by
The Inspector of Police,
Keeranur Police Station,
Pudukottai District.
Crime No.248 of 2024.

... Respondent

PRAYER : Criminal Revision Petition filed under Section 438 r/w 442 BNSS, to set aside the order in Cr.M.P.No.1192 of 2024 on the file of the learned Judicial Magistrate, Keeranur, Pudukottai District, dated 10.12.2024.

For Petitioner : Mr.S.Sathya Chidambaram

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side)



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ORDER

The Criminal Revision is directed against the order passed in Cr.M.P.No.1192 of 2024, dated 10.12.2024 on the file of the learned Judicial Magistrate, Keeranur, Pudukottai District, dismissing the petition filed under Section 497 of BNSS.

2. It is not in dispute that the vehicle in dispute came to be seized in connection with the case in Crime No.248 of 2024 for the alleged offences under Sections 331(4), 305(a) of BNS and the property was produced before the concerned Court and the same came to be remanded in R.P.No.87 of 2024.

3.The learned counsel for the petitioner would submit that the petitioner has filed an application under Section 497 of BNSS, seeking interim custody of the vehicle. The learned Magistrate, by observing that there is difference in the spelling of the petitioner's name in the Aadhar Card and the RC Book, dismissed the petition. He would further submit that subsequently, they have obtained RC Book with correct name, i.e., Magudeeswari.



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4.The learned Government Advocate (Criminal Side) would submit that the petitioner's husband name and other particulars are tallied and that they are not having any objection to release the vehicle.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

6. The learned counsel appearing for the petitioner would further submit that the vehicle/Honda Activa 6G bearing Reg.No.TN-81-U-2208, is owned by the petitioner, that the vehicle is with the police for the few months, that if the vehicle is kept in open place, the value of the said vehicle will get deteriorated and that therefore interim custody may be granted to the petitioner.

7.Considering the facts and circumstances of the case and also the fact that if the vehicle is kept in open place exposing to sun and rain, the value of the vehicle will be deteriorated and no purpose will be served in



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keeping the vehicle in custody, this Court is inclined to allow the revision.

8. Accordingly, this Criminal Revision Petition is allowed and the order, dated 10.12.2024 passed in Crl.M.P.No.1192 of 2024 by the learned Judicial Magistrate, Keeranur, is hereby set aside and the vehicle/Honda Activa 6G bearing Reg.No.TN-81-U-2208, are ordered to be returned to the petitioner for interim custody subject to the following conditions:-

(a) the petitioner shall execute a bond for a sum of **Rs.1,00,000/- (Rupees one Lakh only)**, with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate, Keeranur, Pudukottai District;

(b) the petitioner shall deposit the original Registration Certificate of the vehicle before the Judicial Magistrate, Keeranur, Pudukottai District;

(c) the petitioner shall not alienate and shall not make any alteration in the vehicle;



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(d) the petitioner shall produce the vehicle before the Court and
before the respondent police as and when required;

05.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das

To

- 1.The Judicial Magistrate, Keeranur,
Pudukottai District.
- 2.The Inspector of Police,
Keeranur Police Station,
Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
CrI.R.C.(MD)No.153 of 2025

Dated: 05.02.2025