

Crl.R.C.(MD)No.343 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.343 of 2025

Muralikumar

... Petitioner

Vs.

1.The State of Tamilnadu rep by
The Inspector of Police,
Kollidam Police Station,
Trichy District.
(Crime No.103 of 2024)

2.Sekar
(R2 is impleaded as per order of the Court dated
01.04.2025 in Crl.MP(MD)No.4250 of 2025 in
Crl.RC(MD)No.343 of 2025)

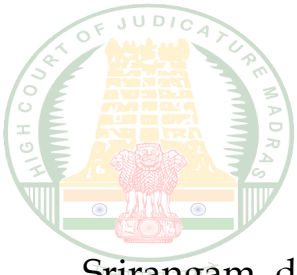
... Respondents

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to set aside the order in Cr.M.P.No.2181 of 2024 on the file of learned District Munsif cum Judicial Magistrate, Srirangam, Trichy District, dated 18.07.2024 and allow the above criminal revision petition.

For Petitioner	: Mr.S.Sathyachidambaram
For R1	: Mrs.M.Aasha
	Government Advocate (Crl. Side)
For R2	: Mr.C.Sivakodi

ORDER

The Criminal Revision is directed against the order passed in Crl.M.P.No.2181 of 2024 dated 18.07.2024 on the file of the District Munsif cum Judicial Magistrate,



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Srirangam, dismissing the petition filed under Sections 451 and 457 Cr.P.C.

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2. The petitioner claims to be the owner of Mahindra Bolero Pickup four wheeler vehicle bearing **(*)Registration No.TN-28-AE-7265**. On 12.05.2024, the first respondent police has registered a case in Crime No.103 of 2024 for the offences under Section 379 IPC and Section 21(4) of Mines and Minerals (Development & Regulation) Act, 1957 and seized three vehicles including the above said vehicle for the alleged illegal transportation of river sand.

3. It is not in dispute that the petitioner has approached the learned District Munsif cum Judicial Magistrate, Srirangam, for returning of the said vehicle in Crl.M.P.No.2181 of 2024 and the learned Judicial Magistrate, vide order dated 18.07.2024, has dismissed the petition. Aggrieved by the order of dismissal, the petitioner has now come forward with the present revision.

4. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl. Side) appearing for the first respondent and the learned counsel appearing for the second respondent.

5. The learned Government Advocate (Criminal Side) appearing for the first respondent would submit that RC stands in the name of the second respondent and not in the name of the petitioner. She would further submit that the petitioner is the first accused in this case, that the petitioner is not having any previous cases, that



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the said vehicle was not involved in any other cases and that the value of the vehicle is about Rs.5 lakhs.

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6. The learned counsel appearing for the second respondent would submit that the second respondent already sold the vehicle to the petitioner and he has also filed an memo dated 25.04.2025 stating that they are not having any objections to release the vehicle in favour of the petitioner.

7. The learned counsel appearing for the petitioner would submit that the vehicle bearing **(*)Registration No.TN-28-AE-7265**. is owned by the petitioner, that the said vehicle has no connection whatever with the alleged occurrence, 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. He would further submit that the petitioner undertakes to effect the name transfer within a stipulated time and produce the original RC book before the concerned Court.

8. 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 keeping the vehicle in custody, this Court is inclined to allow the revision and thereby setting aside the impugned order dated 18.07.2024 passed in Crl.M.P.No.2181 of 2024, by the learned District Munsif cum Judicial Magistrate, Srirangam.

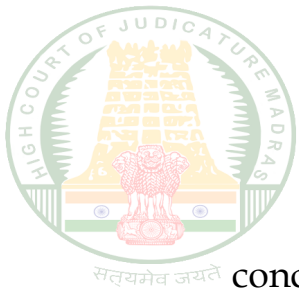


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9. Accordingly, this Criminal Revision Case stands allowed and the order dated 18.07.2024 passed in Crl.M.P.No.2181 of 2024 by the learned District Munsif cum Judicial Magistrate, Srirangam, is hereby set aside and the vehicle/Mahindra Bolero Pickup four wheeler bearing **(*)Registration No.TN-28-AE-7265.**, is ordered to be returned to the petitioner for interim custody subject to the confiscation proceedings to be taken by the concern Department or by the Court on the following conditions:-

- (a) the petitioner is directed to deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** as non-refundable deposit for the said vehicle to the credit of the District Mineral Foundation Trust, Trichy District;
- (b) the petitioner shall execute a bond for a sum of **Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only)**, with two sureties for a likesum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Srirangam;
- (c) the petitioner shall deposit the original Registration Certificate of the vehicle before the learned District Munsif cum Judicial Magistrate, Srirangam within a period of one month from the date on which name transfer is made in favour of the petitioner;
- (d) The petitioner shall give an undertaking before the respondent/ authority



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concerned stating that he will not use the vehicle in question for any illegal activities in future, failing which the respondent/trial Court is at liberty to confiscate the vehicle;

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

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

Sd/-

25.04.2025

(*)Corrected as per order of this Court dated 20/08/2025 made in CRL MP(MD)No.11019 of 2025 IN CRL RC(MD)343/2025

Sd/-

Assistant Registrar (CO)

// True Copy //

/08/2025

Sub Assistant Registrar
(CS- I/ II / III / IV)

csm

To:-

(*)To be substituted to the order already despatched on 14/05/2025

1.The District Munsif cum Judicial Magistrate,
Srirangam.

2.The Inspector of Police,
Kollidam Police Station,
Trichy District.



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3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

4.The Section Officer,
Criminal Section (Records),
Madurai Bench Of Madras High Court,
Madurai.

Order made in
Crl.R.C.(MD)No.343 of 2025
Dated: 25.04.2025

SL(09.05.2025)/ 6P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17.07.2023.

JJ/02.09.2025 6P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023