



Crl.R.C.(MD)No.218 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.218 of 2025

K.Veeramani

... Petitioner

Vs.

1.State rep.by
The Inspector of Police,
Vanniyampatti Police Station,
Virudhunagar District.

2.R.Subburaj

... Respondents

PRAYER : Criminal Revision Petition filed under Sections 438 r/w 442 of BNSS., to call for the records relating to the order passed in Crl.M.P.No.1663 of 2024 on the file of the Judicial Magistrate Court No.II, Srivilliputhur, dated 20.12.2024 and set aside the same.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mrs.M.Aasha,
Government Advocate (Crl. Side)
for R1.



Crl.R.C.(MD)No.218 of 2025

WEB COPY

ORDER

The Criminal Revision is directed against the order passed in Cr.M.P.No.1663 of 2024 in Crime No.146 of 2024, on the file of the learned Judicial Magistrate No.II, Srivilliputhur, dismissing the petition filed under Section 497 r/w 503 of BNSS.

2. It is not in dispute that the respondent police seized the two wheeler/125 Pulsar unregistered (Chassis No.MD2B6BXORWD13976 Engine No.DHXWRD05556) from the accused and the same was produced before the concerned Court and the property came to be remanded in P.R.No.259 of 2024.

3.The learned counsel for the petitioner would submit that the petitioner claiming to be the owner of the vehicle has filed an application before the concerned Court for return of vehicle. The prosecution has taken a stand that the accused has snatched the jewels of his mother and purchased the said vehicle in the name of the present petitioner.



Crl.R.C.(MD)No.218 of 2025

WEB COPY

4.The learned Government Advocate (Criminal Side) would submit that the respondent police after completing the investigation has filed the final report and the police has not implicated the petitioner and filed the charge sheet only against the accused named in the FIR, that they have not found out any involvement of the petitioner and that they are not having any objections to release the vehicle to the petitioner.

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

6. The learned counsel appearing for the petitioner would submit that the two wheeler, is owned by the petitioner, that the vehicle is with the police for the five 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



Crl.R.C.(MD)No.218 of 2025

WEB COPY

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.

8. Accordingly, this Criminal Revision Petition is allowed and the order, dated 20.12.2024 passed in Crl.M.P.No.1663 of 2024 by the learned Judicial Magistrate No.II, Srivilliputhur, is hereby set aside and the two wheeler/125 Pulsar unregistered (Chassis No.MD2B6BXORWD13976 Engine No.DHXWRD05556), is 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.50,000/- (Rupees Fifty Thousand only)**, with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate No.II, Srivilliputhur;

(b) After receipt of the vehicle, the petitioner is directed to get the vehicle registered within a period of 15 days and then to produce the original Registration Certificate of the vehicle before the learned Judicial Magistrate No.II, Srivilliputhur ;

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



Crl.R.C.(MD)No.218 of 2025

WEB COPY

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

(e) the petitioner shall give an undertaking before the respondent/authority 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.

21.02.2025

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

To

1.The Judicial Magistrate No.II, Srivilliputhur.

2.The Inspector of Police,
Vanniyampatti Police Station,
Virudhunagar District.

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



WEB COPY



Crl.R.C.(MD)No.218 of 2025

K.MURALI SHANKAR,J.

das

Order made in
Crl.R.C.(MD)No.218 of 2025

Dated: 21.02.2025