

Crl.R.C.(MD)No.412 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2025

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.412 of 2025

Kavitha

... Petitioner

Vs.

The State of Tamil Nadu
rep.by the Inspector of Police,
Malaiyur Police Station,
Pudukkottai District.
Crime No.211 of 2024.

... Respondent

Prayer : This Criminal Revision Petition filed under Sections 438 r/w 442 of BNSS., to call for the records relating to the order passed in Cr.M.P. No.108 of 2025 on the file of the District Munsif cum Judicial Magistrate, Karambakudi, Pudukkottai District, dated 17.02.2025 in Crime No.211 of 2024 on the file of the respondent police.

For Petitioner : Mr.D.Ramesh Kumar

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

ORDER

The Criminal Revision is directed against the order passed in Cr.M.P. No.108 of 2025, dated 17.02.2025 on the file of the District Munsif cum Judicial



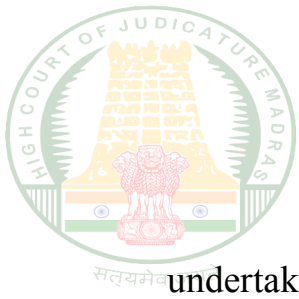
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Magistrate, Karambakudi, Pudukkottai District, dismissing the petition filed under Section 497 of BNSS.

2. It is not in dispute that the respondent police has recovered the vehicle/Bolero Pick Up van bearing Reg.No.TN-18-AF-9054 in connection with the case in Crime No.211 of 2024 on the file of the respondent police for the offence under Section 303 (2) of BNS r/w Section 21(1) of MMDR Act. It is also not in dispute that the vehicle has been produced before the concerned Court in R.P.No.22 of 2025. The petitioner has moved an application for return of vehicle on interim custody and the learned Magistrate by observing that the petitioner is having three similar cases and the vehicle in dispute was already involved in similar type of offences, dismissed the petition.

3. When the matter was taken up for hearing earlier, the learned Government Advocate (Criminal Side) would submit that the vehicle was involved in the previous case in Crime No.81 of 2024 and the petitioner himself has produced the copy of the order passed in Cr.M.P.No.1138 of 2024 granting interim custody of the vehicle in dispute. In the said order passed in Cr.M.P. No.1138 of 2024, the learned Magistrate directed the petitioner to give an



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undertaking and in pursuance of the same, the petitioner has given an undertaking that he will not alienate or change the vehicle and will not involve the vehicle in dispute in any other offences. Subsequent to the undertaken given by the petitioner and after getting interim custody of the vehicle, the said vehicle was recovered in the present case.

4.As rightly contended by the learned Government Advocate (Criminal Side), the petitioner has been using the vehicle for transportation of minerals and on that basis, the present case came to be registered. Considering the above, this Court is not inclined to interfere with the order passed by the learned District Munsif cum Judicial Magistrate, Karambakudi, Pudukkottai District. Consequently, this Court concludes that the Criminal Revision Case is devoid of merits and the same is liable to be dismissed.

5. In the result, the Criminal Revision case is dismissed.

08.04.2025

NCC :yes/No
Index :yes/No
Internet :yes/No
das



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K.MURALI SHANKAR,J.

das

To

- 1.The District Munsif cum Judicial Magistrate,
Karambakudi, Pudukkottai District.
- 2.The Inspector of Police,
Malaiyur Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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