

Crl.R.C.(MD)No.425 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.425 of 2025

Sandhanam

... Petitioner

Vs.

State rep.by
The Inspector of Police,
Natham Police Station,
Dindigul District.
Crime No.636 of 2024.

... Respondent

PRAYER : Criminal Revision Petition filed under Section 438 r/w 442 BNSS, to call for the records and set aside the order, dated 06.03.2025 passed by the Special Court for POCSO Act Cases, Dindigul District in Crl.M.P. No.88 of 2025.

For Petitioner : Mr.S.Arjun

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

ORDER

The Criminal Revision is directed against the order passed in Cr.M.P.No.88 of 2025 in Crime No.636 of 2024, on the file of the Special



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Court for POCSO Act Cases, Dindigul District, dismissing the petition filed under Section 497 of BNSS.

2. The petitioner claims to be the owner of the vehicle/Honda Unicorn bearing Reg.No.TN-57-CW-4538; that the respondent police seized the vehicle relating to the case in Crime No.636 of 2024, for the offence under Section 87 of BNS and Section 9 of Prohibition of Child Marriage Act 2006 and 5(l), 5(n) r/w 6 of POCSO Act 2012.

3. It is not in dispute that the petitioner has approached the learned Sessions Judge, Special Court for POCSO Act Cases, Dindigul District, for returning of the said vehicle in Cr.M.P.No.88 of 2025 and the learned Sessions Judge, vide order, dated 06.03.2025, 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 and the learned Government Advocate (Criminal Side) appearing for the State.



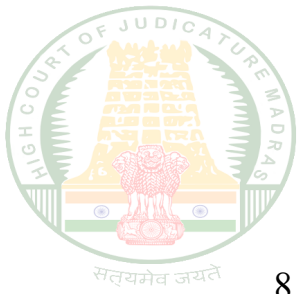
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5. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the petitioner is the owner of the vehicle and that the petitioner is not having any previous cases and that the said vehicle was not involved in any other cases.

6. The learned counsel appearing for the petitioner would submit that the vehicle bearing Reg.No.TN-57-CW-4538, 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.

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



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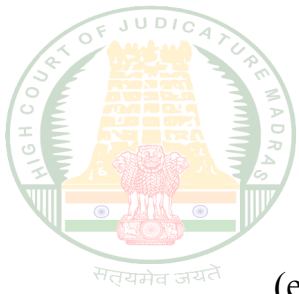
8. Accordingly, this Criminal Revision Petition is allowed and the order, dated 06.03.2025 passed in Cr.M.P.No.88 of 2025 by the learned Sessions Judge, Special Court for POCSO Act Cases, Dindigul, is hereby set aside and the vehicle/Honda Unicorn bearing Reg.No.TN-57-CW-4538, is ordered to be returned 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 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 Sessions Judge, Special Court for POCSO Act Cases, Dindigul;

(b) the petitioner shall deposit the original Registration Certificate of the vehicle before the learned Sessions Judge, Special Court for POCSO Act Cases, Dindigul;

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

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



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(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.

01.04.2025

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

To

- 1.The Sessions Judge, Special Court for POCSO Act Cases,
Dindigul.
- 2.The Inspector of Police,
Natham Police Station,
Dindigul 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
Crl.R.C.(MD)No.425 of 2025

Dated: 01.04.2025