



Crl.R.C.(MD)No.479 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.479 of 2025

Haridasan

... Petitioner

Vs.

State of Tamil Nadu through
The Inspector of Police,
PalaniAdivaram Police Station,
Dindigul District.
(Crime No.24 of 2025)

... Respondent

PRAYER : Criminal Revision Case filed under Section 438 & 442 B.N.S.S., to call for the records relating to the impugned order dated 06.03.2025 made in Crl.M.P.No.173 of 2025 on the file of learned Judicial Magistrate Court, Palani in Crime No.24 of 2025 on the file of Inspector of Police, PalaniAdivaram Police Station, Dindigul District and set aside the order and consequently direct the respondent police to return the vehicle of the petitioner in the custody of the respondent herein, to the petitioner till the conclusion of the criminal case.

For Petitioner : Mr.K.Muthu Ganesa Pandian

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 Crl.M.P.No.173 of 2025 dated 06.03.2025 on the file of the Judicial Magistrate, Palani, dismissing the petition filed under Sections 497 and 503 B.N.S.S.

2. It is not in dispute that the respondent police has recovered a vehicle Toyoto Innova Silver color car bearing Registration No.KL-53-B-4228 in connection with the case in Crime No.24 of 2025 on the file of the respondent police for the offences under Sections 25(1B)(a) of Arms Act, 1959.

3. It is not in dispute that the petitioner has approached the learned Judicial Magistrate, Palani, for returning of the said vehicle in Crl.M.P.No.173 of 2025 and the learned Judicial Magistrate, 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.



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

5. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the property has not been produced before the jurisdictional Court till now. He would further submit that the petitioner is not an accused in this case, that the petitioner is not having any previous cases, that the said vehicle was not involved in any other cases and that the value of the vehicle is worth about Rs.15 lakhs.

6. The learned counsel appearing for the petitioner would submit that the vehicle bearing Registration No.KL-53-B-4228 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



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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 06.03.2025 passed in Crl.M.P.No.173 of 2025, by the learned Judicial Magistrate, Palani.

8. Accordingly, this Criminal Revision Case stands allowed and the order dated 06.03.2025 passed in Crl.M.P.No.173 of 2025 by the learned Judicial Magistrate, Palani, is hereby set aside and the vehicle/ Toyota Innova car bearing Registration No.KL-53-B-4228, 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.5,00,000/- (Rupees Five Lakhs only)**, with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate, Palani;
- (b) the petitioner shall deposit the original Registration Certificate of the vehicle before the learned Judicial Magistrate, Palani;
- (c) The petitioner shall give an undertaking before the respondent/



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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;

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

(e) the petitioner shall produce the vehicle before the concerned Court on first working day of every month until further orders;

15.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

1.The Judicial Magistrate,
Palani.

2.The Inspector of Police,
PalaniAdivaram Police Station,
Dindigul District.

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



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K.MURALI SHANKAR,J.

csn

Order made in
CrI.R.C.(MD)No.479 of 2025

Dated: 15.04.2025