



CRL RC(MD)No.638 of 2025

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 08.07.2025**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**CRL RC(MD)No.638 of 2025**

Selvarasu

... Petitioner

Vs.

1.The State of Tamilnadu rep. by,  
The Inspector of Police,  
K.Pudupatti Rural Police Station,  
Pudukottai District.  
(Crime No.2 of 2025)

2.R.Needhi

3.The State Bank of India,  
Tiruvonam, Orathanadu,  
Thanjavur District.

... Respondents

**PRAYER:** Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records and set aside the order passed in Cr.M.P.No.150 of 2025 by the learned District Munsif cum Judicial Magistrate, Thirumayam, dated 05.05.2025, and order interim custody of the Tractor bearing Registration No.TN-49-J-3260 seized by the first respondent on 09.01.2025.

For Petitioner : Mr.T.Leninkumar

For 1<sup>st</sup> Respondent : Mr.S.S.Manoj,  
Government Advocate  
(Criminal side)



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For 2<sup>nd</sup> Respondent : No Appearance

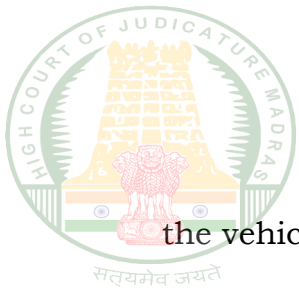
For 3<sup>rd</sup> Respondent : Mr.V.Balasubramanian

**ORDER**

Challenging the order of the learned District Munsif cum Judicial Magistrate, Thirumayam, in Cr.M.P.No.150 of 2025 dated 05.05.2025, this Criminal Revision Case is filed.

2.The petitioner filed a petition under Section 497 of BNSS, 2023, seeking to return of tractor bearing registration No.TN-49-J-3260 recovered by the respondent Police in Crime No.2 of 2025 under Section 303(2) of BNS and Sections 21(1) and 21(2) of the Mines and Minerals (Development & Regulations) Act and the same is in custody of the respondent Police. However, the learned Trial Court dismissed the same, recording the fact that the property which was sought for to be returned belonged to the second respondent and there is no permit or license in the name of the petitioner permitting him to use the vehicle for transporting the minerals, at the time of seizure.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl.) categorically contended that the petitioner is not the owner of



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the vehicle.

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4.Despite service of notice, there is no appearance for the second respondent either in person or through counsel duly instructed.

5.The learned counsel appearing for the third respondent submitted that the property belonged to one Needhi, who is the second respondent herein and the property sought to be returned belonged to him and he had already hypothecated the vehicle with the third respondent. In view of the above, the petitioner has no *locus standi* to seek the return the vehicle.

6.Recording the same, this Criminal Revision Case is dismissed. No Costs.

**08.07.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
Mrn



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To

- 1.The District Munsif cum Judicial Magistrate, Thirumayam.
- 2.The Inspector of Police,  
K.Pudupatti Rural Police Station,  
Pudukottai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**L.VICTORIA GOWRI, J.,**

Mrn

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