



CRL RC(MD)No.649 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL RC(MD)No.649 of 2025

Manikandan

... Petitioner / Petitioner

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
Ragunathapuram Police Station,
Pudukkottai District.
(In Crime No.11/2025)

... Respondent / Respondent

PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, to call for the records pertaining to the Impugned Order passed by the learned District Munsif Cum Judicial Magistrate, Karambakkudi, in CrI.M.P.No.241 of 2025, dated 16.04.2025 and set aside the same as illegal and void, consequently direct the respondent to release the Ashok Leyland Tipper Lorry bearing registration No.TN51 R 3154 to the petitioner.

For Petitioner : Mr.C.Karthikeyan

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

ORDER

This Criminal Revision Petition is filed to call for the records



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pertaining to the impugned order passed by the learned District Munsif Cum Judicial Magistrate, Karambakkudi, in Crl.M.P.No.241 of 2025, dated 16.04.2025 and set aside the same and consequently direct the respondent to release the Ashok Leyland Tipper Lorry bearing registration No.TN51 R 3154 to the petitioner.

2. The case of the prosecution is that on 08.02.2025, at about 11.30 hours during surveillance, the police found that the A1 – Sivakumar, loading bore pebbles in a Ashok Leyland Tipper Lorry bearing registration No. TN51R3154. Therefore the police intercepted and arrested him and seized the said Tipper Lorry. On enquiry, it is found that the petitioner herein is the owner of the alleged vehicle. On receipt of the complaint, a case in Crime No.11 of 2025 came to be registered under section 303(2) of BNS. Subsequently, the petitioner had preferred Crl.M.P.No.241 of 2025 seeking interim custody of the Tipper Lorry. However, the said application was dismissed by the learned Judicial Magistrate, Karambakkudi, vide order dated 16.04.2025.

3. The petitioner preferred this Criminal Revision Petition as



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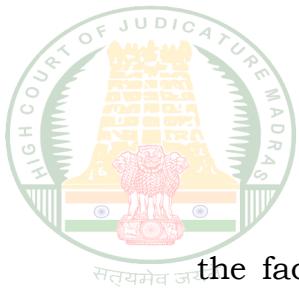
against the order dated 16.04.2025 made in Crl.M.P.No.241 of 2025 on the file of the learned Judicial Magistrate, Karambakkudi, and to set aside the same.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and carefully perused the materials available on record.

5. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is the owner of the vehicle and the accused in this case and the said vehicle was involved in two cases.

6. The learned counsel appearing for the petitioner would submit that the vehicle bearing Registration No. TN51R3154 is owned by the petitioner and he was not involved in any such offence as alleged by the respondent and if the vehicle is kept in open place, the vehicle will get deteriorated and the value of the vehicle would automatically stand diminished and therefore interim custody may be granted to the petitioner.

7. Considering the facts and circumstances of the case and also



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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 and thereby setting aside the impugned order dated 16.04.2025 passed in Crl.M.P.No.241 of 2025 by the learned Judicial Magistrate, Karambakkudi.

8. Accordingly, this Criminal Revision Case is allowed and the order dated 016.04.2025 passed in Crl.M.P.No.241 of 2025 by the learned Judicial Magistrate, Karambakkudi, is hereby set aside and the vehicle viz., Ashok Leyland Tipper Lorry bearing registration No. TN51R3154, 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 is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) as non-refundable deposit for the said vehicle to the credit of the RAY OF LIGHT FOUNDATION, Bank Name: HDFC BANK, A/c No:50100078904233, A/c Name: Ray of Light Foundation, Branch: HABIBULLAH ROAD, T NAGAR, CHENNAI, IFSC code: HDFC0001864;
- (b) the petitioner shall execute a bond for a sum of **Rs. 8,00,000/- (Rupees Eight Lakhs only)**, with two sureties for



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a likesum to the satisfaction of the learned Judicial Magistrate, Karambakkudi;

- (c) the petitioner shall deposit the original Registration Certificate of the vehicle before the learned Judicial Magistrate, Karambakkudi;
- (d) 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;
- (e) the petitioner shall not alienate and shall not make any alteration in the vehicle;
- (f) the petitioner shall produce the vehicle before the Court and before the respondent police as and when required;

16.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml
To

1.The Judicial Magistrate, Karambakkudi.

2.The Inspector of Police,
Ragunathapuram Police Station,
Pudukkottai District.



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

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L.VICTORIA GOWRI, J.,

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