



Crl.O.P.(MD)No.10276 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.06.2025

CORAM :

**THE HON'BLE MR.JUSTICE B.PUGALENDHI**

Crl.O.P.(MD)No.10276 of 2025

Ramasubramanian

... Petitioner

Vs.

The Sub Inspector of Police,  
Aviyoor Police Station,  
Virudhunagar District.  
(Cr.No.33 of 2025)

... Respondent

**Prayer :** Criminal Original Petition filed under Section 528 BNSS, to set aside the return endorsement made in unnumbered Cr.M.P. /2025 in Crime No.33 of 2025 on the file of the learned District Munsif cum Judicial Magistrate, Kariapatti dated 23.04.2025 and consequently number the same.

For Petitioner

: Mr.S.Kisore Kumar

For Respondent

: Mr.A.S.Abul Kalaam Azad,  
Government Advocate(Crl.side)



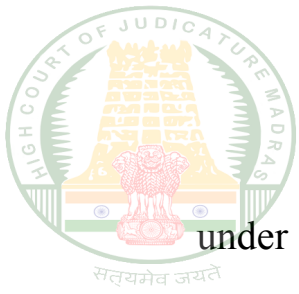
## **ORDER**

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The petitioner has filed this petition as against the order of the learned District Munsif cum Judicial Magistrate, Kariapatti returning the application filed under Section 497 & 503 BNSS to return his tractor bearing Reg.No.TN 67 BQ 6242, which has been seized by the respondent Police.

2.The learned counsel appearing for the petitioner submits that the the respondent Police has registered a case as against the petitioner in Cr.No.33 of 2025 and they have also seized his tractor bearing Reg.No.TN 67 BQ 6242. However, the same has not been produced before the learned District Munsif cum Judicial Magistrate, Kariapatti and the learned Magistrate, without directing the respondent Police to produce the vehicle, has mechanically returned the papers.

3.The learned Government Advocate(Crl.side) appearing for the respondent submits that the respondent Police has seized the petitioner's tractor for illegal transportation of clay sand without any valid permit. Therefore, a case in Cr.No.33 of 2025 has been registered for the offence



CrI.O.P.(MD)No.10276 of 2025

under Sections 21(1), 21(4) of the Mines & Minerals (Development & Regulation) Act, 1957 and they have not registered the case under Section 379 IPC. Therefore, they have produced the vehicle before the Joint Director, Mines Department, Virudhunagar.

4.This Court has considered the submission made on either side and perused the materials available in record.

5.It appears that the case in Cr.No.33 of 2025 has been registered for the offence under Sections 21(1), 21(4) of the Mines & Minerals (Development & Regulation) Act, 1957 and the same has not been registered for the offence under Section 379 IPC. Therefore, the vehicle of the petitioner has been produced before the Joint Director, Mines Department, Virudhunagar and hence, the petitioner is at liberty to workout his remedy before the concerned Officer, in the manner known to law. Accordingly, this criminal original petition is disposed of.

**19.06.2025**

Index : Yes/No  
Internet: Yes  
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CrI.O.P.(MD)No.10276 of 2025

To

- 1.The Sub Inspector of Police,  
Aviyoor Police Station,  
Virudhunagar District.
  
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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CrI.O.P.(MD)No.10276 of 2025

**B.PUGALENDHI,J**

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CrI.O.P.(MD)No.10276 of 2025

19.06.2025