



CrL.R.C.(MD)No.709 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CrL.R.C.(MD)No.709 of 2025

Ramar

... Petitioner

-VS-

The State of Tamil Nadu rep by Inspector of Police,
Irrukankudi Police Station,
Virudhunagar District.
(Crime No.172 of 2024)

... Respondent

PRAYER : Criminal Revision Case is filed under Section 438 r/w. 442 of BNSS, 2023, to call for the records and setting aside the order passed in Cr.M.P.No.901 of 2024, by the learned Judicial Magistrate No.II, Sattur, dated 12.05.2025.

For Petitioner

: Mr.M.Pandian

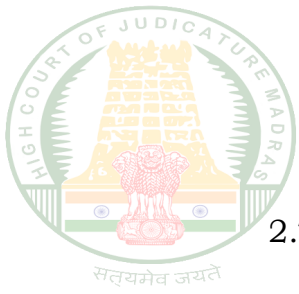
For Respondent

: Mr.S.S.Manoj,

Government Advocate (CrL.)

ORDER

Challenging the order passed in CrL.M.P.No.901 of 2024 dated 12.05.2025, on the file of the learned Judicial Magistrate No.II, Sattur, this Criminal Revision Case is filed.



CrL.R.C.(MD)No.709 of 2025

2.The case of the prosecution is that the respondent filed a FIR in Crime No.172 of 2024, under Section 303(2) of BNS, 2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, for illegal transport of three units of gravel sand through Ashok Leyland tipper lorry bearing registration No.TN-72-Q-0429. Subsequently, the petitioner's vehicle was seized. Thereafter, the petitioner filed CrI.M.P.No.901 of 2024 for the return of vehicle before the learned Judicial Magistrate No.II, Sattur and the same was dismissed on 12.05.2025, for the reason that the engine number of the vehicle sought to be returned is different from the number, which is mentioned in the RC book. Challenging the same, this Criminal Revision Case is filed.

3.The learned counsel appearing for the petitioner submitted that the said tipper lorry is only the source of his livelihood and hence, the same need to be returned because he is only the second owner and he is ignorant and not responsible for the so called change of engine number and pressed for allowing the Criminal Revision Case.

4.The learned Government Advocate (CrI.) appearing for the respondent on the basis of counter categorically contended that the petitioner is the second owner of the vehicle concerned. A perusal of the RC book of the said vehicle would reveal that the engine number at the time of the purchase by the petitioner is different one bearing Engine



CrL.R.C.(MD)No.709 of 2025

No.FDH356470. However, the engine number in the property seized is Engine No.8BHZ400566E3, for which the petitioner alone could be held responsible and in the absence of any probable explanation for the same, the Criminal Revision case fails.

5.Heard the learned counsels on either side and carefully perused the materials available on record.

6.I do not find any demerit or infirmity in the order passed by the learned Judicial Magistrate in the absence of any probable explanation submitted by the learned counsel for the petitioner for the change in engine number produced, which differs from the engine number, which reflects in the RC book.

7.Accordingly, this Criminal Revision Case fails and the same is dismissed. No Costs.

12.08.2025

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



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CrL.R.C.(MD)No.709 of 2025

To

- 1.The Judicial Magistrate No.II, Sattur.
- 2.The Inspector of Police,
Irukankudi Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrL.R.C.(MD)No.709 of 2025

L.VICTORIA GOWRI, J.

Mrn

CrL.R.C.(MD)No.709 of 2025

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