

CRL RC(MD)No.768 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL RC(MD)No.768 of 2025

Muthusamy

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. by The Sub Inspector of Police,
Mandaiyur Police Station,
Pudukottai District.
In Crime No.20 of 2025.

... Respondent

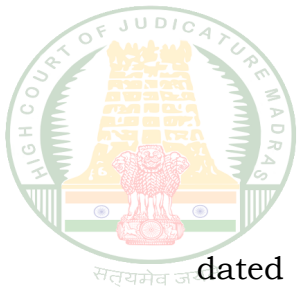
PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, to set aside and to modify the order dated 19.05.2025, made in Cr.M.P.No.193 of 2025 on the file of the learned Judicial Magistrate, Keeranoor, Pudukottai District, in so far the condition no.5 is concerned.

For Petitioner : Mr.S.Sathyachidambaram

For Respondent : Mr.S.S.Manoj,
Government Advocate
(Criminal side)

ORDER

Requiring to modify the condition imposed by the learned Judicial Magistrate, Keeranoor, Pudukottai District in Cr.M.P.No.193 of 2025,

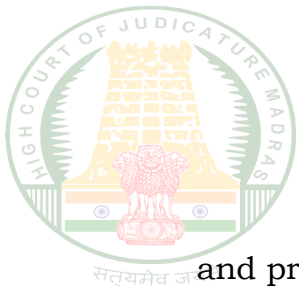


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dated 19.05.2025, directing the petitioner to produce the original RC book, this Criminal Revision Petition is filed.

2. The learned counsel appearing for the petitioner submitted that even before the learned Trial Court, they have duly informed that the vehicle is hypothecated with the private financier and RC book is under the custody of the said private financier and to substantiate the same, he also produce a letter given by the finance company in this regard. However, without appreciating the same, the learned Judicial Magistrate had insisted to produce RC book before the learned Trial Court, which is quite not possible under facts and circumstances of the case. He required this Court to modify the condition.

3. Per contra, the learned Government Advocate (Crl.) appearing for the respondent vehemently objected that the Criminal Revision Case is a fit case to be dismissed for the reason that the hypothecation is normally endorsed in the RC book itself and in the present case, such an endorsement is significantly absent. The hypothecation as claimed by the petitioner is not reflected in the copy of the RC book produced by the petitioner. Hence, the narration of the petitioner may not be correct



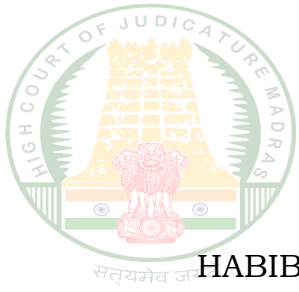
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and pressed for dismissal of the Revision Case.

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

5. Considering the fact that the petitioner is the owner of the vehicle and that running of the vehicle is his livelihood and understanding the nuances of the rural Indian life where a middle class owner resort to pledge the vehicle after purchasing the same whenever they suffer with financial constraints, this Court is of the considered view that the letter acknowledging the hypothecation given by the finance company could be appreciated. Accordingly, the condition no.5 imposed in Crl.M.P.No.193 of 2025 dated 19.05.2025, by the learned Judicial Magistrate, Keeranoor, Pudukottai District is modified to the effect that the learned Trial Court may accept the copy of the RC book produced by the petitioner and also required the petitioner to produce the vehicle before the learned Trial Court once in 10 days until further orders on condition to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) as non-refundable deposit 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:



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HABIBULLAH ROAD, T NAGAR, CHENNAI, IFSC code: HDFC0001864.

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The petitioner is also directed to produce an affidavit submitting that the original RC book is in the custody of the finance company and also produced a letter from the finance company concerned acknowledging the custody of the RC book in their office. The other conditions imposed by the learned Trial Court shall remain unaltered.

6. In view of the above, the Criminal Revision Case is allowed and the order passed by the learned Judicial Magistrate, Keeranoor, Pudukkottai District, in Cr.M.P.No.193 of 2025 dated 19.05.2025 is modified as above.

01.07.2025

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

To

- 1.The Judicial Magistrate,
Keeranoor, Pudukkottai.
- 2.The Sub Inspector of Police,
Mandaiyur Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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L.VICTORIA GOWRI, J.,

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