



Crl.R.C.(MD)No.784 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.784 of 2025

P.Gowsalya

... Petitioner

Vs.

State of Tamil Nadu rep. by
The Inspector of Police,
Allinagaram Police Station,
Theni District.
(Crime No.64 of 2025)

... Respondent

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records relating to the impugned order passed in Crl.M.P.No.1619 of 2025 dated 10.06.2025 on the file of the learned Judicial Magistrate, Theni and set aside the same as illegal.

For Petitioner : Mr.T.Pradeep

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. Side)

ORDER

The Criminal Revision is filed challenging the order passed by the learned Judicial Magistrate, Theni in Crl.M.P.No.1619 of 2025 in Crime



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No.64 of 2025, dated 10.06.2025 .

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2. When the matter is came up for hearing, the learned counsel for the petitioner submitted that in a petition which was filed before the Judicial Magistrate under Sections 497 and 503 of BNS seeking return of Hitachi Excavator vehicle bearing Serial No.HYNDN633LE0006566 seized in Crime No.64/2025 by the respondent police, the learned Judicial Magistrate had mistakenly dismissed the same as if the said petition was filed for seeking return of lorry bearing Registration No.TN 60 AK 7693. In view of the same, pointing out the mistake committed by the learned Judicial Magistrate, he pressed for allowing the revision case.

3. The learned Government Advocate (Criminal Side) submitted that this is an error apparent on the record which could be rectified only by the Judicial Magistrate concerned.

4. In view of the same, this Court sets aside the order, dated 10.06.2025 and remands the matter back to the file of the Judicial Magistrate, Theni for fresh consideration. The learned Judicial



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Magistrate, Theni is directed to dispose of the same within a period of one (1) week from the date of receipt of copy of this order.

5. With the above direction, this Criminal Revision Case is disposed of.

03.07.2025

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

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To

- 1.The Judicial Magistrate,
Theni.
- 2.The Inspector of Police,
Allinagaram Police Station,
Theni 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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Order made in
CrI.R.C.(MD)No.784 of 2025

Dated: 03.07.2025