

Crl.R.C.(MD)No.831 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.831 of 2025

and

Crl.M.P(MD)No.9599 of 2025

R.Murugan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep.by The Inspector of Police,
Vilampatti Police Station,
Dindigul District.
(Crime No.56 of 2018)

2.Jegan

... Respondents

(R2 is impleaded by this Court in Crl.M.P(MD)No.9599 of 2025, dated 24.07.2025)

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 of BNSS, to call for the records and set aside the order made in Crl.M.P.No. 522 of 2025 dated 27.06.2025 on the file of Judicial Magistrate Court, Nilakkottai.

For Petitioner : Mr.V.P.Rajan

For R1 : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)



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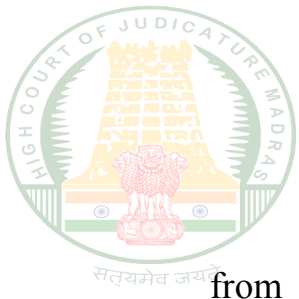
For R2

: Mr.V.Kalichamy

ORDER

Challenging the order passed by the learned Judicial Magistrate, Nilakottai in Crl.M.P.No.522 of 2025 in R.P.R.No.55 of 2018 in PRC.No.2 of 2024 in Crime No.56 of 2018, this criminal revision case is filed.

2. The learned Trial Court by an order, dated 27.06.2025 rejected the application filed by the petitioner, namely Murugan under Section 497 of BNSS for the reason that earlier a similar application was filed by the accused, namely Jegan in crime number.56 of 2018 seeking return of property and the same was dismissed for the reason that the RC book stood in the name of Murugan and thereafter, a revision case filed as against the said order was also dismissed in Crl.R.C(MD)No.87 of 2021. Later, the petitioner herein had filed an application in Crl.M.P.No.522 of 2025 and the impugned order came to be passed for the reason that though the vehicle stands in the name of Murugan, already the vehicle has been sold out to Jegan and the said Jegan had availed finance facility



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from private finance for the purpose of the vehicle. Challenging the same, the impugned order came to be passed.

3. When the matter was taken up for hearing, the learned counsel for the petitioner submitted that Jegan himself has no objection for the property to be returned to the petitioner. For substantiating the same, impleading petition is filed in **Crl.M.P(MD)No.9599 of 2025** to implead the said Jegan and the same is **allowed**. The said Jegan had appeared before this Court and submitted that he has no objection in handing over the property to Murugan.

4. The learned Government Advocate (Crl.Side) submitted that the same was not the stand of Jegan while the matter came up before the learned Trial Court.

5. Heard the learned counsel for the petitioner, learned Government Advocate (Crl.Side) for the 1st respondent and the learned counsel for the 2nd respondent.



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6. It is brought to the notice of this Court by the learned counsel for the petitioner that he had already handed over the original RC book to Jegan. However, he had misplaced the same and hence, he will not be in the position to produce the original RC book before the learned Trial Court while obtaining interim custody of the vehicle.

7. Since both persons Murugan who is the RC book owner and Jegan against whom Crime No.56 of 2018 was registered have appeared before this Court and had arrived at a consonance with each other, the impugned order, dated 27.06.2025 passed in Crl.M.P.No.522 of 2025 by the learned Judicial Magistrate Court, Nilakottai, is hereby set aside and the vehicle bearing Registration No.TN 60 AA 8377, 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.25,000/-**
(Rupees Twenty Five Thousand only) as non-refundable deposit for the said vehicle to the credit of the Aishwaryam



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Trust, Indian Bank, Tirunagar Branch, Madurai, Account No. 6639017788, IFSC Code: IDIB000T032;

- (b) the petitioner shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty Thousand only)**, with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate Court, Nilakottai ;
- (c) the petitioner shall deposit the duplicate copy of the RC book within a period of 15 days from the date of receiving interim custody of the vehicle from the learned Trial Court. Failing which, original order passed in Crl.M.P.No.522 of 2025 will be restored.;
- (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 on first working day of every English Calendar month until further



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orders.

8. Accordingly, this Criminal Revision Case is allowed.

24.07.2025

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

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To

- 1.The Judicial Magistrate Court,
Nilakottai.
- 2.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.831 of 2025

Dated: 24.07.2025